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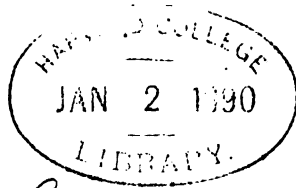
MARKET RIGHTS AND TOLLS.

Session
9 February 1888 — 24 December 1888.

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COMMISSIONERS, INSPECTORS,
AND OTHERS:
1888.

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THIRTIETH VOLUME.

N.B.—*THE* Figures at the beginning of the line, correspond with the N° at the foot of each Report; and the Figures at the end of the line, refer to the MS. Paging of the Volumes arranged for *The House of Commons*.

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- ⊙ ✓ [c. 5550.] First Report of the Royal Commission on Market Rights and Tolls, with the Report by Mr. Charles J. Elton, Q.C., M.P., Commissioner, and Mr. B. T. C. Costelloe, Assistant Commissioner, on Charters and Records relating to the History of Fairs and Markets in the United Kingdom. Vol. I. p. 1
- ⊙ ✓ [c. 5550-1.] Vol. II. Minutes of Evidence and Appendix. 237
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Gr. Brit. -

ROYAL COMMISSION ON MARKET RIGHTS AND TOLLS.

FIRST REPORT

OF THE

**ROYAL COMMISSION ON MARKET RIGHTS
AND TOLLS,**

CONTAINING

THE FIRST REPORT OF THE COMMISSIONERS,

TOGETHER WITH

**THE REPORT BY MR. CHARLES I. ELTON, Q.C., M.P., COMMISSIONER,
AND MR. B. F. C. COSTELLOE, ASSISTANT COMMISSIONER,**

ON

**CHARTERS AND RECORDS RELATING TO THE HISTORY
OF FAIRS AND MARKETS IN THE UNITED KINGDOM.**

Vol. I.

Presented to both Houses of Parliament by Command of Her Majesty.



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REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

WE, the undersigned Commissioners, appointed to inquire into the question of Market Rights in the United Kingdom of Great Britain and Ireland, desire humbly to present to Your Majesty the following Report of what we have done in the prosecution of the inquiry entrusted to us.

Immediately on the issue of Your Majesty's Commission we prepared a series of questions, calculated to cover the whole ground of our inquiry, and to elicit the fullest information as to the management of Markets, their cost, and the profits derived from tolls, stallages, rents, and other sources.

These questions, which will be found in the Appendix to this Report, were arranged in three series, and confined to England and Wales.

The first, or Form A, was sent to Local Authorities who are owners of Market Rights.

The second, or Form B, was sent to owners of Market Rights not being Local Authorities.

The third, or Form C, was sent to Local Authorities not being owners of Market Rights.

The object in sending Form C was a desire to obtain independent opinions as to the management of markets owned by private individuals.

We propose to issue similar circulars in Scotland and Ireland.

A further series of questions has been issued to Your Majesty's Representatives in the United States, Germany, Belgium, France, and Austria, relative to Foreign Markets.

These questions are also to be found in the Appendix.

Five Assistant Commissioners have been appointed to assist the Commissioners in their work. One is engaged in examining ancient charters and records connected with markets. His Report we submit herewith.

Two Assistant Commissioners are holding inquiries as to the management of markets in England, and the two remaining Assistant Commissioners are engaged in similar duties in Ireland.

The evidence taken before them will be submitted to Your Majesty at a future date.

The Commissioners have taken oral evidence from owners of Market Rights and other witnesses in various parts of England in connection with the subject-matter of our inquiry, and it is our intention to continue to take evidence from time to time until, in our opinion, we have obtained complete information on the subject.

The notes of evidence so taken before us up to the present time are appended to this Report.

All which we humbly submit for Your Majesty's gracious consideration.

(Signed)

DERBY.
BALFOUR OF BURLEIGH.
HUGH C. E. CHILDERS.
JAS. P. CORRY.
THOS. MARTINEAU.
CHARLES I. ELTON.
FRANCIS W. MACLEAN.
SPENCER CHARRINGTON.
JOHN J. HARWOOD.
WILLIAM C. LITTLE.
J. ALLANSON PICTON.
PIERCE MAHONY.

HENRY A. P. ROOKE, *Secretary.*

9th August 1888

Report on Charters and Records relating to the History of Fairs and Markets in the United Kingdom.

MARKETS and fairs are probably quite distinct in their origin, although the legal considerations governing them have come to be so far analogous that they are frequently classed together. Lord Coke in the Second Part of his Institutes, p. 221, commenting on cap. xxxi. of the Statute of Westminster the First, by which it was provided that for taking outrageous toll the king should seize the franchise of the mart (*le franchise del marche*), says that the word "*marche*" "doth here include as well "a faire as a market, for *forum*, whence faire is derived, signifieth both, and a mart "is a great fair holden every year, derived *a merce*, because merchandises and wares "are thither abundantly brought, and *mercatus* is derived *a mercando*;" and commenting on cap. xxiv. of Westminster the Second, he says that fairs are included in the enactment there made "*de mercato*," "for every fair is a market, but every market is not a fair." It is commonly said that fairs are larger than markets and are held only on a few stated days in the year, whereas markets are held once a week or oftener.

The word fair appears to be properly used to include what Coke speaks of as a mart. It signifies a gathering at the time of one of the annual feasts, and seems to derive its name not from "*forum*" but from "*feria*," which is the proper ecclesiastical term for a saint's day. The feasts or wakes of the patron saints of the villages or districts may in some cases represent a continuation of pagan festivals allowed to survive from motives of public policy. In this connexion, we may refer to the celebrated letter of Gregory the Great to Mellitus in A.D. 601, in which he directs that "some solemnity," must be provided for the English people in exchange for their former celebrations, "that they may build themselves booths from the boughs of trees about those churches which have been turned to that use from temples."*

There are early records which show that the gatherings at such festivals were used not only for religious purposes, but also for pleasure and business, and were from the beginning specially utilised for purposes of trade and commerce. Thus it appears from the Boldon Book—a survey of the Palatinate of Durham, taken in the year 1183—that the rustic tenants of the township of Boldon and of Aucklandshire were bound to make lodges or booths at the fairs of S. Cuthbert.†

The concourse of persons from a distance on these occasions appears to have been facilitated from very early times by provisions for proclaiming a special "truce," which were directly perpetuated in the so-called "peace of the fair," or the "*Treva regis*," such as that referred to in the Domesday account of Dover.‡

The word *nundinae*, which is commonly used as an equivalent for "fair," did not originally signify an annual gathering of the kind described. It rather represented what we know as a weekly market, though in later times it was used to describe any periodical trading assembly. In connexion with this word we find the earliest

* Bede, Hist. Eccl., I., 30, and Gregor. Ep. ad Mellitum II., 76.

† "Faciunt in nundinis Sancti Cuthberti singuli ii. villani unam botham et quando logias faciunt, &c., quieti sunt de aliis operationibus." Boldon Buke, (Surtees Soc. Ed.), p. 4, 'Boldon'; p. 26, 'Aucklandshire'; cf., the mention of similar payments made by tenants at the love-feast or *caritas* of S. Peter, in the Liber Niger of Peterborough (Chronicon Peterb., Camden Soc., 1849, App.): Du Cange, sub-voce "*caritas*," Seebohm, English Village Community, p. 71-73. Traces of this connexion between ancient markets and festivals may be found in the early notices of Irish history preserved in the Annals of the Four Masters, and in the other records referred to at p. 3, post. A curious account of the ancient Welsh pleasure fair of St. Almedha, near Brecknock, will be found in Giraldus Camb., Itin. Camb., i., c. 2.; Descr. Cambr., i., c. 16.

‡ We may compare also a picture of Norse life preserved in the Grettir Saga. Grettir, the outlaw, came in disguise to the great spring gathering, and sat watching the sports. They asked him to wrestle. "If I do," he said, "you must proclaim the 'peace.'" And one rose up and proclaimed the peace in solemn form. Then Grettir threw off his disguise, and they were angered because he had outwitted them, but they could not harm him.

suggestions of the prerogative right of creating such centres of traffic, according to the maxim, "*Jus nundinarum a senatu aut a principe impetrandum est.*"

In connexion with the observations that fairs were connected with the resort of people to the feast of dedication, and that therefore in most places the fairs by old custom are on the same day as the wake or festival of that saint, we may remark that fairs were held in the churchyard of the church which was dedicated to the saint, till they were restrained in the time of Edward I.* A distinction between the wake or dedication feast and the fair strictly so called appears in a litigation of the reign of King John, where the Abbot of Abingdon was summoned to show his right to hold a fair at Sallingeford. The abbot pleaded that he held no fair, but said that there was held there a certain gathering which was called a "wake (*vigilia*)," which was there from the time of the Conquest of England, and whereof the Abbey of Abingdon was seised from time immemorial without claiming to take toll or any other custom; but that nevertheless there was always buying and selling there. The Abbot of Beaulieu also appeared, and pleaded that he had at that wake a certain custom by royal grant to take a toll of all salt brought to the wake. A copy and translation of the pleadings will be found in the extracts from the *Abbreviatio Placitorum* in the Appendix. The distinction appears to have turned on the idea that the absence of toll would prevent the assembly from being a legal fair, which view, however, appears to be certainly incorrect, having regard to the later authorities.† It appears indeed by a reference to Sallingeford on the Hundred Rolls of the beginning of the reign of Edward I., that the wake in question was then recognised as a free fair in the hands of the King, where he took no toll, but received certain profits, such as amercements and the like.‡ The relation between a wake and a fair was also discussed in proceedings on Quo Warranto as to the manors of the Prior of Bolton, in Yorkshire, an extract from which is also included in the Appendix.‡

It appears in fact to be impossible to dis sever the idea of the fair from the gathering on the day of a festival in early English history, and we may fairly suppose that the gatherings in their original form were held in heathen times on those great occasions when the national sacrifices were offered, and the public assemblies were held. Though little is known of the divisions of the ancient calendar, there appear to have been gatherings for these purposes at the solstices, and at the end of the harvest. The year began with the Yule feast, and a great festival was held in September, when thanks were given for the harvest, and offerings made to secure a prosperous winter. Another great anniversary was occupied by the November sacrifices, and we know that among the continental Germans all these great anniversaries coincided with popular assemblies and assizes.§ This conclusion is borne out by what we can learn about the ancient Irish fairs. These, according to O'Curry, "were not, like their "modern representatives, mere markets, but were assemblies of the people to celebrate "funeral games and other religious rites during pagan times, to hold parliaments, "promulgate laws, listen to the recitation of tales and poems, engage in or witness "contests in feats of arms, horse-racing, and other popular games. They were "analogous in many ways to the Olympian and other celebrated games of ancient

* The statute of Winton, 13 Edw. I. c. 6., enacted that fairs and markets should not be kept in churchyards. A statute of 27 Hen. VII. c. 5. enacts that fairs and markets shall not be kept upon Ascension day, Corpus Christi, Whit Sunday, Trinity Sunday, the Assumption of the Virgin Mary, All Saints, Good Friday, nor any Sundays (the four Sundays in harvest only excepted), "on pain to forfeit the wares so showed to the "lord of the franchise there: howbeit they may be kept within three days next before or after the said "days, proclamation thereof being made beforehand, and which is to be certified without fine or fee to the "King: and such as have by special grant sufficient days before or after the said feast may keep their full "number." Two earlier statutes of the reign of Edward III. had provided for the proclamation of fairs. The first of these, 2 Edw. III. c. 15., enacts that every lord at the beginning of his fair shall cry and publish how long it shall endure, in pain to be grievously punished. The latter statute, 5 Edw. III. c. 5., provides that "merchants, after the fair ended, shall close their shops and sell no ware thereafter, in pain to forfeit to the "King the double value of the ware so sold whereof the prosecutor shall have a fourth part."

† "There is a toll usually paid in fairs and markets on the sale of things tollable, and for stallage, picage, &c. But this is not incident to a fair or market without special grant, for where it is not granted such a fair or market is accounted a free fair or market." 2 Inst. 220. Cro. Eliz. 559. Jacob's Law Dictionary *sub voce*.

‡ Placita de Quo Warranto, Ebor., 21 Edw. I., rot. 10, at Appendix, p. 109.

§ Grimm, Deutsche Mythol. 32, 34, 35; Rechts-Alterth. 245, 745, 821-825. Among the Northmen the year was divided into seasons according to the nature of the work to be done, and "between these seasons "we find the great heathen festivals placed: Easter, Yule, the mid-summer moot, the autumn feast, which "were also unbroken but shorter spells of mirth and merry-making, when public games, law proceedings, "and the like were carried on." The great Christian festivals were accommodated to this arrangement, so that those which fell about the corresponding times of the year might take the place of the pagan celebrations. Corpus Poeticum Boreale, by Vigfusson and Yorke Powell, I. p. 429.

"Greece."* He quotes a minute description of one of the most famous of these gatherings, called the fair of Carman, held where Wexford now stands; from the Book of Leinster (dating from about 1150 A.D.), and the Book of Ballymote; and the following extracts will sufficiently illustrate the nature of such ancient assemblies.

After describing the death of Garman and his begging them to institute a "fair of mourning" for him, the Book of Ballymote proceeds as follows:—"The people of Leinster celebrated this fair by their tribes and by their families down to the time of Cathair Mor . . . There were seven races there, and a week for considering the laws and the rights of the province for three years. It was on the last day that the Leinstermen of Gabhra South held their fair, which was called 'the steed-contest of the Ossorians.' The Forud of their king was on the right of the King of Carman. The Forud of the King of O'Failge on his left: and their women were seated in the same manner." In another part of the description the following lines occur: "Seven mounds without touching each other: Where the dead have often been lamented: Seven plains sacred without a house: For the funeral games of Carman: Three markets in that auspicious country: A market of food, a market of live stock: And the great market of the foreign Greeks: Where gold and noble clothes were wont to be."†

O'Curry also points out that these fairs were regulated by strict byelaws, a breach of which was punishable by death. No one who attended them could be arrested on account of any previous transactions, nor could the property of any one be distrained going to, at, or returning from a fair. Women, he says, were especially protected, and an enclosure was set apart for their exclusive use, which was called a "*cot* or *cotha*."

Besides this Wexford fair, there were other provincial assemblies of the same kind at Tailté in Meath: at Cruachan, the burial place of the Kings of Connaught: at Nenagh in Tipperary: at Aenach-of-the-burgh on the Boyne: and at the burial places of the Kings of Leinster and Munster.‡

The reference to the protection of traders on their way to, at, and from a fair may be compared with similar provisions in other countries. In Germany one of the earliest fair charters granted by the Emperors extended to them the protection of "the Ban, that all going thither and returning may have peace."§ In like manner we find the prohibition of distraint for previous debts perpetuated both in the Scottish laws|| and in the charters of the English fairs.¶

There is very little reference to fairs either in the collections of laws or other authorities relating to the period of English history preceding the Norman Conquest, although there is no reason to doubt that such annual gatherings took place in many parts of England throughout the whole period between the establishment of the Teutonic kingdoms in England and the imposition of the Norman constitution. Cases will be found in the Appendix where a claimant summoned to prove his title to a market and fair, pleaded for the former a charter of Edward the Confessor, and for the latter a grant of Henry III. only. It should also be observed that there are only two notices of fairs in Domesday Book, viz.; the mention of the third part of a fair at 'Aspella' in Suffolk and of the '*forum annuale*' seized by the Earl of Moretain at 'Matele' in Cornwall, and that even in these instances there is no estimate of annual value, as is usual where markets are described.

These circumstances lead us to infer that such fairs as existed before the Norman Conquest were of little pecuniary value. This is not inconsistent with the idea that

* Manners and Customs of the Ancient Irish. Vol. III., p. 523.

† See O'Curry Manners and Customs, Vol. III., pp. 523-547, and Vol. II., pp. 39-47, and Introduction, pp. cclv., ccxxvi. Another version (Vol. III., p. 531) describes the markets as follows:—"Three markets there; to wit, a market of food and clothes; a market of live stock, cows and horses, &c.; a market of foreigners and exiles selling gold and silver, &c. The professors of every art, both the noble arts and the base acts, and non-professionals were there, selling and exhibiting their works to kings; and rewards were given for every work of art that was just or lawful to be sold or exhibited or listened to."

‡ The common Irish word for a fair was *aenach*, which appears in a large number of place-names. *Nenagh* is the same word with the addition of the article. The name of *Monasteranenagh* in Limerick seems to connect the fair with some grant to the monastery founded in the 12th century, but it appears from the Annals of the Four Masters that there had been a fair there in more ancient times called "Aenach-beag." Ballymenagh, "the town of the fair," occurs in Limerick, Tipperary, and Derry: Lissaneena, "the fort of the fair," in Cork and Sligo: Ballymeanig in Kerry and Ardaneanig near Killarney and again in the county of Clare, are other forms. *Nas* is a word of similar meaning which has given its name to Naas in Kildare and to several places in Leinster. Joyce, Irish Names of Places, I. 203-7. The word "Enoch" a fair, is also used as a place-name in Galloway: see Sir H. Maxwell's Topography of Galloway *sub voce*.

§ See the Charter of Conrad II. to Bremen, and other Imperial Charters in the Appendix, p. 40.

|| See p. 10 post, and the Leges Burgorum in the Appendix, p. 147 sq.

¶ See also the account of the fair at Westminster, in the Placita de Quo Warranto, 22 Edw. I., f. 480.

they may have been institutions of considerable importance with respect to their influence on the course of trade and the development of mercantile law. As has been already suggested, they seem to have contributed to secure the peace of the roads, and to have established times of local "truce." They had their own law courts, of which more than one example will be found fully described in the extracts included in the Appendix; and the fact that these courts acted with the aid and for the benefit of "merchants from all parts" must have tended to consolidate the mercantile law.* There are some indications that the law of market overt may have grown out of the practices of the merchants at the fairs. Although nothing directly bearing on this point is found in our insular codes, there is a statement as to the German fairs in the ninth century, which shows that the usage was well known on the continent. This statement is found in the works of Notker, one of the St. Gall writers, living about 850 A.D., who says that "merchants contend that the purchase which is made at an annual fair should be valid, whether it be just or unjust, because it is their custom."†

There can, however, be no doubt that after the Norman Conquest the fair was treated as a valuable franchise derived from the prerogative of the Crown, and yielding a revenue in tolls and other profits to the King or the grantee of the franchise. The fair in fact seems to have been reconstituted on the continental model, the nature of which appears from the numerous grants of annual fairs to religious houses in France from the ninth century onwards. An example of the number and variety of the tolls exacted at a fair in the Norman period will be found in the charter of St. Giles's fair at Winchester, of which a translation is printed in the Appendix; and the same charter will be found to illustrate in a remarkable way the continual growth of a great fair, for although the original grant by William Rufus was for three days only, five days more were added by Henry I., six by Stephen, and again two more by Henry II., so that the period of the monopoly ultimately extended to sixteen days in all, without reckoned a further period of eight days granted by Edward II., which the Abbots had not found it expedient to use.

With the development of foreign trade under the Plantagenet Kings the system of annual fairs undoubtedly attained a great importance. The advantage of the fair was of a double character. It supplied, as Professor Rogers says, "a market in which goods which could not be found in the ordinary town market would be procurable, and in which there would be a wider market for ordinary goods."‡ The value of the franchise was as great to the town traders as to the foreign merchants and chapmen. This may be illustrated by an instance taken from the Hundred Rolls for the County of Lincoln, a reference to which will be found in the Appendix. The men of Lincoln presented that the lord of the fair of St. Botolph had attacked the citizens and oppressed them by exacting toll, although they were free from time immemorial of all customs and demands at that fair, upon which the citizens had withdrawn themselves from the fair until they should be able to obtain a remedy from the King. They proceeded to say that in the meantime the then Mayor of Lincoln with his brother and certain friends guaranteed to the owner of the fair without the authority of the citizens a rent of 10*l.* yearly, and they added the further statement that the mayor's brother at that time said before the commonalty of Lincoln that he would give 10*l.* out of his own pocket, "before he would lose his fair of St. Botolph."§

The importance which was once attached to fairs has long since passed away, though there was a time when they formed a convenience with which no part of the country could dispense. When the growth of trade progressed faster than the improvement of the means of communication, the value of fixed centres of periodical exchange was great; but as the means of communication improved, the great marts of Plantagenet, Stuart, and Tudor times, have, as Professor Rogers says, "degenerated into scenes of coarse amusement, and after having been granted and protected as the highest and most necessary franchises, have been tolerated for the sake of their traditions, and are now being generally suppressed as nuisances."

* See particularly the charter of St. Giles's fair in the Appendix, at p. 133, the trial recorded in the Abbr. Plac., f. 321, a, and the presentment of the men of Louth as to their dispute with the men of Lincoln at St. Botolph's fair from the Hundred Rolls, I. f. 334. The diversity of local usage in the various trading communities is illustrated by the summaries of the customary law entered under the names of some of the boroughs in Domesday Book, and by the provisions as to trials between men of different "ports" in the Laws of Canute, cap. 32.

† "Chouffliute stritent tas ter chouf sule wesen stâte, der ze jahrmercate getân wirdet, er si reht alde unreht: warde iz iro gewohneheite ist." Notker, Boethius 58,

‡ Six Centuries of Work and Wages, p. 147.

§ See Appendix, p. 97.

The same writer has given us a valuable account of "the great and famous fair of Stourbridge" which was held in a field near the Monastery of Barnwell about a mile from Cambridge. We are told that this fair was as celebrated in its day as those of Novgorod and Leipsic. Here were assembled the merchants of the east and west, the Easterlings from the Hanse-towns, the traders of the Levant, Venetians and Genoese, and Spaniards with jennets and war-horses, and iron from the "crane of Seville." This fair was proclaimed on the 4th of September, the due proclamation being a condition of exercising the franchise.* It was opened on the 8th of September and lasted three weeks. "The temporary wooden buildings were commenced by custom " on St. Bartholomew's day, August 24, and the builders of these houses were allowed " to destroy corn grown on the spot with impunity if it were not cleared before that " day. On the other hand, the owner of the field was empowered to destroy the " booths on Michaelmas day if they were not cleared before that time. The space " allotted to the fair, about half a square mile, was divided into streets which were " named, sometimes by nations, and in each of these streets some special trade was " carried on, the principal being foreign spices and fruits, ironmongery, fish, metal " goods, cloth, wool, leather, and, latterly, books." Nothing, he adds, was too cumbrous or too costly for a mediæval fair, because the dealer, if he could not find customers there, could certainly find them no where else; and with regard to the particular gathering now under description "there were few households possessed " of any wealth which did not send a purchaser or give a commission for Stourbridge " fair."†

Among other important fairs we may mention several which were granted by Henry I. to the greater churches. The first of these is a grant of a fair at Canterbury on the day of St. Augustine's Translation, September 13, to last for five days. Another was granted to St. Andrew's Priory at Rochester, being a gift of "all customs " and liberties and the entire toll of the two days' fair on the feast of S. Paulinus, " whose body rests in the Church of S. Andrew the Apostle in the same city." Another grant for S. Swithin's Monastery and Cathedral at Winchester comprised the right to hold a fair at S. Giles's Church on the eastern hill of Winchester, and all the King's rents and rights in the city of Winchester for eight days, including three granted by King William II., as to which full details will be found, as already stated, in the Confirmation Charter of Edward III. The Malmesbury Chartulary contains a grant to Abbot Godfrey by Henry I. of a five days' fair at Malmesbury, which the King's father had granted for three days only. The next examples in the list are a grant of a fair for eight days before the Nativity of St. John the Baptist for the Monastery of St. Alban's in Hertfordshire, a grant to St. Peter's at Bath of the whole city of Bath, in alms and in augmentation of the Episcopal see, with all customs, also

* The custom of proclamation is still kept up in many places, the following being a form now in use in Yorkshire :—

"The Lord of this Manor, in Her Majesty's name, strictly charges and commands all persons here assembled and repairing to this fair to keep the Queen's peace, and that no man presume to make any assault, outcry, or affray to the disturbance of Her Majesty's subjects. That no man forestall all or any manner of commodities, or merchandise, coming or cometh to this market. That no man use any false weights or measures, or sell, offer to sell any adulterated or deceitful wares but such as are good and merchantable, and allowed by the laws of the realm. And that every man, both in buying and selling, use honest and fair chapmanry. That no man buy or sell any horse, mare or gelding but such as are lawfully registered in the toll book, and that if any person or persons shall presume to buy any horse, mare, or gelding, without lawfully registering the same in the toll book, he will be prosecuted according to law. That no innholder or victualler suffer any disorder in his house by unlawful gaming or excessive drinking. That no man entertain, lodge, or harbour any rogues, vagabonds, or cutpurses or suspected persons, and if any such repair, to their houses or otherwise they be informed of them, that they presently give notice thereof to the constable and that the constable do apprehend them, that such course be taken as by the laws of this realm are appointed for such like offences. And if any difference arise within this fair or market the party grieved may repair to the Court of Pye-powders, held at the toll-booth, and receive redress. And all persons are to take notice that the horse and sheep fair or market is ordered and appointed to be held and kept within the west end of this town, betwixt the house of . . . and the house of . . . And the beast market at the east end of this town. God save the Queen and the Lord of this Manor."

† Six Centuries of Work and Wages by J. E. Thorold Rogers, pp. 146, 148, 149, and 150-152. The following passage from "Piers Plowman" may be cited as illustrating the modes of dealing in small matters at a mediæval fair :—

"Clemment the Cobelere: cast of hus cloke: And to the New Fayre: nempned hit to teke: Hicke the Hakeneyman: Hitte hus hod after: And bad Bette the Bouchere: to be on hus syde: Ther were chapmen y-chose: the chaffe to preise: That he that hadde the hod: sholde have amendes of the cloke: Two ryen rapliche: and rounde togeders: And preyed the penyworths: apart by hemselfe: And ther were othes an hepe: for other sholde have the worse. Thei couthe nouht by here conscience: accorde for treuthe: Til Robyn the Ropere: aryse thei bysouhte: And nempned hym a nompeyr: that no debate were." Piers Plowman, passus 7, 376-393.

of a mint, toll, and all other appurtenances and fairs on the feast of S. Peter, "so that the Bishop may have his seat there with the greatest honour," and a grant for the Monastery of Ramsey of a fair to be held every Wednesday in Easter, and eight days after with "sac and soc," and all customs thereto belonging. The Royal Charters of the same reign, which may be taken as a specimen of the whole Norman period,* contain also among other examples a grant to the Monastery of Tavistock of a three days' fair on the feast of St. Rumon, and a grant to St. Frideswide's Priory at Oxford, of a fair to be held in the City of Oxford and the suburbs thereof every year for seven days, viz., on the eve and day of the Translation of St. Benedict, and five days following, with all liberties and free customs thereto belonging.† The last-mentioned fair, the memory of which is now almost forgotten, lasted at first for the seven days between the 10th and 16th of July, afterwards changed to the week between the 18th and 24th of October. "During the continuance of this great fair," says Mr. Boase, "the custody of the city was given up into the hands of the monastery, the town courts were closed in favour of the Piepowder Court, held by the steward of the priory for the redress of all disorders committed in the fair, and the keys of the city gates were given over by the mayor to the prior. But by the Stuart times, the fair had fallen almost to nothing, though the city had bought from the Crown the right to hold it for fifteen days within the precincts of the Guildhall. Similarly the Austin or May fair (5-9th May) granted by Edward IV. to the Austin Friars at Wadham, came into the hands of the city and gradually perished A fair on Gloucester Green, granted by Elizabeth, also came to nothing. At present, St. Giles's wake is kept on the Monday after the 1st of September, St. Giles's day, but the shows and stalls are mainly attractive to crowds of country people."‡ The charter for St. Giles's fair at Winchester, already mentioned, contains very elaborate provisions for securing the government of the city and the neighbourhood for a circuit of seven leagues round S. Giles's Down to the officers of the Bishop for the whole period of the fair. It includes also a description of the "Pavilionis Aula," or Tent Court of the fair, where foreign as well as domestic law was administered. Besides reciting the tolls taken on all wares sold in the fair, the charter also empowers the Bishop to hold a special assize, during the sixteen days, of all bread, wine, beer, and other victuals, and a review of all weights and measures within the seven league circuit. A similar jurisdiction was long maintained at Hereford. The nine-day fair which began on the 19th of May, was proclaimed from time immemorial with certain yearly formalities by the Bishop of Hereford's bailiff or his deputy, and during the continuance of the fair the Bishop's bailiff superseded the mayor of Hereford, and was the acting magistrate. In the Quo Warranto rolls we find a record of a similar transfer of authority at York from the bailiffs of the City to the officers of the Archbishop, during the continuance of his fair.§

We are told also that the tenants at Hampton Bishop, in the same county of Hereford, were to get yearly six horse loads (summas) of rods or wattles, in the haywood near Hereford, and bring them to Hereford, to make enclosures (cletas) at the fair when they should be required, and for every load of the said rods they were to be allowed a halfpenny at the fairs.||

* The number of fair charters granted in this and the following reigns is illustrated by the Index, which is reprinted from the Calendars of the Public Record Office as part of the Appendix, from which it will be seen that there are over 40 such charters preserved for the first year of King John, and over 460 during the 10 years from 2-11 Henry III.

† See the 30th Report on Public Records, pp. 197 *sqq.* Other information as to early grants of fairs may be found in the Charter Rolls between the years 1199 and 1483, in the Hundred Rolls and Placita de Quo Warranto, several extracts from which are to be found in the Appendix, and among the Inquisitions *ad quod damnum*. Information as to grants of fairs in Wales will be found in the Welsh Rolls, extending from the 5th year to the 23rd year of Edward I., and similar information may be found in the Gascon Rolls, as to fairs granted in Gascony whilst that province was under the dominion of the English Kings. The grants of fairs in the Duchy of Lancaster will be found among the Duchy Records at the Public Record Office between the reigns of Edward IV. and George I., and for the later period at the Duchy of Lancaster Office. Among the places comprised in the last-mentioned records are Newburgh, Staff., 1 Edw. IV., Tutbury, Staff., 2 Ric. III.; Boroughbridge, Yorks., 19 Hen. VII.; Bolingbroke, Lincoln, 1 Mary; Ripon, Yorks., 13 Eliz.; Adwalton, Yorks., 18 Eliz.; Knaresborough, Yorks., 30 Eliz.; Grosmont, Mon., 33 Eliz.; Winster, Derby, 10 Ann; Hope, Derby, 1 George I.; Buxton, Derby, 55 George III. Much information as to grants of fairs to religious houses will be found in Dugdale's *Monasticon Anglicanum*.

‡ Historic Towns, Oxford, by C. W. Boase, pp. 70, 71.

§ See Appendix, p. 110, note.

|| "Tenentes de Hampton Episcopi in com. Hereford debent quærere annuatim sex summas virgarum, apud boscum de Haya juxta Hereford, et apportare ad Hereford ad cletas nundinarum faciendas, quando fuerint requisiti et pro qualibet summa dictarum virgarum allocabitur eis obolus de nundinis." Lib. inq. Heref., Blount, 160: Hazlitt, *Tenures of Land*, p. 144.

Similar provisions and regulations for the maintenance of the peace of fairs were also common in Scotland, and the system of trading in fairs as distinct from markets is well illustrated by the following passage of Robertson's *Early Kings of Scotland* (p. 304). "Ordinarily the privileges of the burgh were only suspended during fair-time. The fair was in some respects a sort of regulated saturnalia: none but the outlaw, the traitor, and the malefactor, whose crime was of too deep a dye to admit of sanctuary, could be taken during its continuance, all else, whether debtors, run-aways, or minor offenders of any description being free from arrest, except they broke "the peace of the fair," when they were tried and punished, not by the ordinary magistrates of the burgh, but in a temporary court, known universally as the Court of Pies-poudres, or Dusty-feet. The Dusty-foot was the travelling pedlar, or merchant as he was called in Scotland,* and as in fair-time the stallenger or trader who sold from a temporary stall or booth could claim "lot and cavyl" share and share with the more dignified burgher, with whom for the time he was upon an equality, it would have been contrary to the true northern principle of justice if he had been liable to be tried and punished in a strange court, and by any other verdict than that of "his peers," the community for the time being of the fair. The Dusty-foot probably came by land, and only entered the burgh for traffic during the fair-time; but the sea, or the river, bore the vessel of the foreign trader to the burgh at all times."

The Peace of the Fair is also referred to in the Scottish *Leges Quatuor Burgorum*,* the 86th chapter of which is headed "Of Stabilling the Peace of Fairs," and is as follows:—

"This is the Ordinance of the Peace of Fairs in a Royal Burgh on the hither side of the water of Forth, to wit: That from the time when the Peace of the Fair is proclaimed no man be taken nor attached within the time of that Fair, either in coming to the Fair or in passing thence or in sojourning in the Fair itself, unless he has broken the Peace of the Fair, or unless he be an outlaw of the Lord King or the King's traitor, or such a misdoer as the Peace of Holy Church ought not to save. And if he be such a misdoer or have broken the Peace of the Fair he shall be attached securely until the Moot of that Fair, and there he shall stand for his right, and justice shall be done in the matter whereof he has been charged."

The following chapter concerning stolen goods found in the fair, supplements the reference to the temporary Fair Court by further details of procedure.

"If a man finds in the Fair property of his which he says was reft from him or stolen or lost, he ought to bring him with whom the property was found to the Bailies of the Fair, and before them the other ought to name his Lord and where he has his house, and ought to find a pledge before the Bailies of the Fair unto the challenger that on the 15th day after the Fair he shall have the property that is challenged in the place which the Bailies shall name, and there shall stand to right unto his challenger. But if he has no pledge, then the Bailies ought to retain the property until he find pledges unto his challenger or else until the Moot of the Fair. And if he that is challenged shall then come and find a pledge as aforesaid, the property must be given into his possession, and the challenger shall pursue his plaint. But if he that is challenged come not to the Moot of the Fair, the property shall be handed over to the challenger, under good and sure pledges, so that if any other should come who should wish to plead thereof, the same challenger, at the summons of the Bailies aforesaid, shall bring that property to the place where he received it, and that in as good state as it was when he received it, or else the value of the property if it has perished or was damaged in his keeping, and there do what may be just concerning it."

The fair then appears to have been originally an institution derived from ancient tribal and national usages expanding in later times with the growth of the royal prerogative and the increasing necessities of commerce. The market, on the other hand, bears obvious signs of having been modelled on the rules of the Civil Law. There are but scanty notices of the "*jus nundinarum*" in the Pandects, but it appears that before the close of the Republic the Senate claimed and exercised a jurisdiction to grant or refuse market-rights, and a passage in Pliny's letters (*Epist.* v. 4), shows that neighbouring *Municipia* were entitled to be heard by counsel against the application

* See the quotations from the *Leges Burgorum* in the Appendix, at p. 153.

of the landowner in a way which closely resembles our later system of inquisitions "*ad quod damnum*."*

Two theories have been advanced to account for the similarity between the system of market law in England and in the continental kingdoms. According to one school of historians there was an absolute continuity of Roman civilisation in the English towns from the time when the province fell away from the Empire to the time when municipal institutions were again developed in the mediæval period. In some parts of Western Europe the Roman system appears to have lived on without an actual breach of continuity. The "*Curia*" seems to have continued in the cities of Provence until the outbreak of the great revolution. At Treves and Cologne the Roman language perished but the institution survived; and the "*libertas Romana*," or full body of municipal privileges, was extended gradually to other cities on the Rhine and to the trading communities of Holland and Brabant. It is possible also that some relics of the Imperial administration may have continued in Southern Italy and in a few of the Lombard cities. One element at least in the Corporation of Paris can be traced back to the "*Nautæ Parisiaci*," a college of merchants established in the first period of the Empire.

But the English municipalities are in no sense a legacy from the Imperial times or a continuation of the system which prevailed in the cities of Britain, even in the few instances, as in London, York, and Exeter, where there may have been an unbroken succession of occupancy.† There had no doubt been a considerable amount of trade in the municipalities of the Roman province of Britain. London was described in the time of Tacitus as "*copia negotiatorum et commeatum maxime celebre*" and we have no reason to doubt the historian's statements in the *Life of Agricola* to the effect that the British towns were wealthy and peaceable and furnished with temples and market places and other public institutions.‡ London certainly continued to be a place of great importance during the occupation of this country by the Romans. It was the seat of the provincial treasury and was probably the residence of some of the higher civil officials; but we know nothing of its history during the period between the first victory of the English invaders and the time when we find it parcelled out like a shire into a number of private estates and territorial franchises and jurisdictions. London and Winchester "the elder and younger capital of the Kingdom" have been said to fall into a special class of Roman towns which have always retained a position of importance. York, the capital of the Roman province, may have maintained a fairly continuous existence as a centre of trade throughout the whole period of conquest. Carlisle and Exeter retained their independence so long that they escaped the dangers of the general destruction. The former of these cities, always a station of great importance, is described by Professor Freeman "as the one city within the bounds of the present England which keeps a purely British name." As to the latter he says it stands distinguished as "the one great English city which has in a more marked way than any other kept its unbroken being and its unbroken position through all ages. It is the one city in which we can feel sure that human habitation and city life have never ceased from the days of the early Cæsars to our own."§ But we may take it as proved that almost all the towns were destroyed in the course of the English Conquest; and some which became important again, as Bath, Cambridge, and Chester, are known to have lain waste for centuries. Some of the towns which may have been spared in the fury of the first contests, doubtless fell afterwards in the course of the civil wars, and more may have been left in neglect to fall into ruin and decay.

But, as time went on, the English Kings, adopting the continental fashions, learned to hold their courts in the fortresses, to choose an ancient city for a metropolis, to

* The classical term "*nundinæ*" referred originally to the nine-day period which preceded the Eastern seven-day week, adopted by the Romans about the time of the establishment of the Empire. The words *nundinæ*, *nundinatio*, and *trinundinum*, were retained in common use, although the period was altered. The seven-day week appears to have been adopted by the Continental Germans and Scandinavians in the 4th or 5th century. They are supposed to have used a five-day week in earlier times. See Grimm, *Deutsch. Mythol.* 127 and Vigfusson, *Corp. Poet. Boreal.* 429. Professor Rhys considers that the Irish word "*noinden*" shows the institution of markets or fairs "on the ninth day" to have been common to the Celts and the ancient Italians. Rhys, *Hibbert Lect.* 1886, p. 362.

† *Encycl. Brit. sub voce Municipality.*

‡ *Tac. Annals XIV.*, c. 33. *Agric.*, cap. 13, 19, 21. and Kemble, *Saxons in England*, II., pp. 265, *sqq.* Kemble notices the following as important Roman trading towns: London, Verulam, Colchester, Lincoln, Bath, York, Chester, Exeter, Dover, Sandwich, Canterbury, Rochester, Winchester, Gloucester, Norwich, Dorchester, Chichester, Wroxeter, Leicester, Caerleon-on-Usk, and Carlisle, and other towns are occasionally mentioned by Bede and the Anglo-Saxon Chronicle.

§ *Historic Towns; Exeter*, by E. A. Freeman, p. 4.

grant a Roman town to a favourite retainer, and to set up their country farmsteads on the sites of the devastated villages.* The conquerors who had at first possessed nothing in the nature of a town learned, at any rate about the beginning of the seventh century, to enclose their boroughs or "burhs" with walls, and the residences of the kings and nobles may also have become centres for trade and commerce, just as in later times the monasteries and places at which local courts were held attracted traders and craftsmen to live in their immediate neighbourhood.

The borough when it appears in English history is essentially a place of defence; and the definition includes the powerful city which formed the metropolis of an ancient Kingdom, the border-fortress, the walled seaport, the "burh" erected in a disaffected province, and the fortified village on the private demesne of the king. The borough or "burh" was confined to the precinct of the walls, though the town or city might extend to a greater distance or the burgesses might be joint-owners of estates outside the lines of defence. There might even be two "burhs" side by side if the nature of the locality required it. We read in the Chronicle, for instance, of the construction of the "northern burh" at Hertford in 913, and of "burhs" being built five years later on both sides of the river at Buckingham, and many other examples will be found collected in Kemble's list of the towns.

The administration of markets in particular appears to have been borrowed from the Franks, together with many other legacies which England received through them from the civilisation of the Empire. Even the English forms of kingship are thought to have been copied from the institutions which the Franks had adopted, as soon as they were in occupation of the country round Tongres and Cambray, and learned to choose kings from their noblest families to rule their states and shires.† Our "hundreds" as they first appear in the historical period, are taken from the Frankish "centena." The ancient English forms of assurance of lands and franchises are identical in character with the instruments of conveyance which are set out in the Formularies of Marculf. The Frankish Kings, and afterwards the Emperors, exercised a prerogative jurisdiction over all matters of trade and traffic, including the right of establishing markets and fairs, and of exacting tolls on transport and on sales within particular districts; and the privilege was one of that kind which could be detached from the other rights of the Crown and transferred as a franchise into the possession of a subject.‡

We find in like manner that in the early English kingdoms the right of holding markets was among the *jura regalia* which might be made matter of grant. "The grant of a market," says Kemble,§ "with power to levy tolls and exercise police authority therein was a royalty in the period of the consolidated monarchy." Closely connected with it was the right to keep a private beam or steelyard, a yard measure,

* See Bede's notices of the metropolitan cities of Canterbury, Hist. Eccl. i. 25, 26, 33, London, *ibid.* i. 29, ii. 3; York, *ibid.* i. 29, ii. 14, 20; Rochester; ii. 3; Winchester, *ibid.* iii. 7, v. 18: of the royal "villae" established in Roman towns, at "Derventio," *ibid.* ii. 9; at "Cataracta" or Catterick, *ibid.* ii. 14, iii. 14; at "Campodunum," *ibid.* ii. 14; at the station "Ad murum," *ibid.* iii. 22: and his account of Dunwich and Lincoln, *ibid.* ii. 15, 16; of Othona or "Ythan-castrum," *ibid.* iii. 22; and of "Calcaria," *ibid.* iv. 23. Among the towns given to soldiers were "Cnobhere's-burg," the Roman station at Burgh Castle, in which a monastery was afterwards established, *ibid.* iii. 19. The Roman station at Reculver was also given to a monastery, *ibid.* v. 8.

† Gregory of Tours, Hist. Franc., ii. 9.

‡ Three early charters, one relating to Hamburg and the others to Ratisbon, in confirming the franchises conferred by Charlemagne on the Archbishop of Hamburg and others, include in the donations markets mints and tolls, the common form being "comitatus mercatus monetas thelonea cum omni utilitate quae describi vel quoquo modo inde provenire poterit." In A.D. 833 Louis the Pious granted to the Abbey of Corvey a market and mint in these words: "Insuper etiam quia locum mercationis ipsa regio indigebat, monetam nostrae auctoritatis publicam ultro ibi semper inesse, Christo militantibus proficuum, statuimus," (Fürstenberg, Monument. Paderborn., 121). The Emperor Arnolf in A.D. 898 confirmed to the Church of Padua "areas et mercatum cum integro theolonio suo," together with other privileges. Otho I. granted to the Bishop of Padua, in 963, trading rights under the terms "negotia constituere, molendina componere," &c.: and the Monastery of St. Nazaire in Lauresheim two years later received a grant of a right to make a public market (mercatum publicum fieri), and to have "quicquid in thelonei lucris exinde proveniunt esse videtur": see Meibomius, Rerum German., Vol. I., p. 747 and p. 748. Extracts from some of these charters will be found in the Appendix, at p. 39 *sq.*

§ Kemble, Anglo-Saxons, II., 73: and see the extracts from charters in the Appendix, at p. 37.

and bushel.* As to the last-named rights he quotes a Charter of Burgred, King of Mercia, granted to the Bishop of Worcester in the year 857, disposing of these privileges with a small plot of land in London. In 889 King Alfred and the sub-King of Mercia made another grant of land in London to the Bishop of Worcester, in which it was provided that the Bishop was to have a steelyard and a measure, both for buying and selling, and for his own private use; "if any of his people dealt in the street or on the 'bank' where sales took place, the King was to have his toll; but "if the bargain was struck in the Bishop's *curtis*, he was to have the toll." In close connexion with these rights was the system of exacting tolls in ports and harbours, and upon transport by roads, bridges, and navigable rivers,† which, both in England and on the Continent, the Kings might either remit in favour of individuals, or might empower an individual to take, "thus, in the first instance, creating for them a commercial monopoly of the greatest value by enabling them to enter the market on "terms of advantage."‡ Kemble considered that the privilege of "tol," which is so common in grants of liberties, referred rather to the right of taking toll on sales within the jurisdiction than to dues levied on transport, and this would include the exactions of murage, pontage, and the like, with which we become familiar in mediæval writings. Both kinds of exaction, however, are mentioned in the charters as matters of royal grant, although the examples are not very numerous.§

The "Instituta Londoniæ,"|| a code of mercantile enactments appearing in an old Latin version between two other collections of Aethelred's laws of the dates 997 and 1008, includes a minute account of the dues and trade of Billingsgate. If a small ship came to Billingsgate, it paid a halfpenny for toll; but a greater ship having sails paid a penny. If a keel (*ceol*) or hulk (*hulcus*) come and lay there, it paid 4*d.* toll. Of a ship laden with timber, one balk was the toll. For a boat with fish coming to the Bridge, the merchant (*mango*) paid ½*d.*, or for a larger fish-boat 1*d.* There were, even at this early time, special "treaties of commerce" with foreigners. "The men of Rouen" who came with wine or fish paid 'rights' of 6*s.* for a great ship and one measure of fish in twenty. The merchants of Flanders and Normandy and France had to exhibit¶ all their goods and pay the full toll (*extolneabant*). The traders of the Hague and of Liege and of Brabant, even if they were passing through the country, had to declare their goods and pay toll. But the Emperor's men, if they came in their own ships, were held "worthy of good laws even such as we have ourselves"; and they might buy upon their own ships small quantities of wool, or fat, or live pigs, and the *burhmanni* might not take of them any "forceap" (possibly a fine

* Dr. Stubbs observes that the parallels between Frank and English law must not be pressed without allowing for the similarity of the circumstances which prompted them, and for the fundamental stock of common principles and customs which underlay them, but he notices among other coincidences of law and usage between the two nations the existence in both countries of the rule that the landless man must have a lord, of the practices as to the heads of shires receiving a third part of the profits of the law courts, and as to the great thegns being sworn by the agency of a representative, and he points out that the jurisdiction of the Frank Missi has its counterpart in the judicial investigations made by Alfred through his Fideles. He notes that at the same time England was largely copying in ecclesiastical legislation from the manuals of Frank statesmanship.

† In a charter of 965 Otho I. granted to the Bishop of Magdeburg "a market in that place and a mint, and all fruits of toll or customs to be acquired or taken "from merchandise conveyed thither in any way "whatsoever, or by any vehicles whatsoever, or brought by horsemen, or by footmen, or by men of any "kind or condition whatsoever there arriving, and every kind of profit therefrom which seemed to pertain "heretofore to our public right." (Sagittar. Antiq. Magdeburg. s. 81, p. 46.) The same church obtained from him in the same year a grant of "Teloneum de mercatu quod ibi [*in Getlide*] fieri concessimus," along with a "Moneta." In a charter of the year 1002 relating to Osnabrück, the profits of market and mint are described as the "teloneum seu vectigal"; and in a charter relating to Hamburg, dated in 1009, there is a grant of market and toll (mercatum habendi et thelonium tam vianantium quam navigantium exigendi); see Fürstenberg, Monum. Paderborn. p. 214, and the extracts printed in the Appendix, pp. 39-40. The French "Tonlieu" was a toll of the same kind. The word is defined in a charter of Philip I., about A.D. 1090 (which is printed in the Neustria Pia, p. 482), as "teloneum sive transitum a vendentibus vel ementibus vel transeuntibus."

‡ Kemble, Anglo-Saxons, II., 75.

§ The French records show that a toll was paid at Orleans on the import of wine into the town, and another at Bourges on the sale of cattle, fish, wax, wool, leather, and wine. The tax paid for the measurement of corn was so severe an exaction that it is specially mentioned as one of the principal matters conceded by the enfranchisement charter of Lorris in the reign of Louis VII. We also find in France during the same period accounts of exactions levied upon the trades in particular towns, presumably in return for some promise of protection by the King. In the reign of Louis VII., for example, we find that the bow-makers and other trades at Etampes, and the bakers at Pontoise, made yearly payments to the Royal Treasury, and that at Paris several trades, such as the butchers and shoemakers, owed a similar annual fee.

|| See Appendix, p. 35.

¶ This "exhibiting" or "declaring" is known as *shewage* or "scavage" in London; see the extracts from the Liber Albus in the Appendix, at pp. 59, 62, &c.

for leave to sell their own cargo). These merchants paid a special toll at Christmas of two white loaves and a brown loaf and ten pounds of pepper, and five pairs of gloves and two horse-casks of vinegar, and the same at Easter.

After these references to foreign merchants, the text returns to the subject of ordinary tolls on marketable commodities, referring apparently to those which came by land to some of the other gates. Baskets of poultry carried on a man's back gave one hen for toll, baskets of eggs paid five eggs for toll, "if they were coming to market," meaning probably that provisions coming in for private use were not charged. Butter and cheese merchants had to pay for a licence one penny 14 days before Christmas, and seven days after Christmas another penny. Bread was charged with toll on three days of the week—Sunday, Tuesday, and Thursday.

The next section deals with what is to be done if toll is withheld. "If the portreeve, or townreeve (*Tungravio* in the text), or any reeve," claims against a man that he has withheld toll, and the man answers that he has concealed no toll which justly he ought to give, he shall swear this with six others and so be quit. If he answers that he has paid the toll, let him find the man he paid it to and so be quit. If he cannot find the man he paid, he must return the toll itself, and pay 5*l.* over to the king. If he vouches the Catchpoll (*cacepollus*, or collector), and says he paid it to him, and he denies it, "let him make good his denial by God's judgment only."

After this follow regulations of great strictness as to false money. The fraudulent moneyer is to lose his hand, which is to be set up over his workshop. Those moneyers who wrought money "in the woods, or such like places," (who also referred to in the 16th chapter of the Third Code of Aethelred), are to be put to death; and the portreeves who have consented to any falsification of the coinage are to be liable to the same severe penalties.

In Ch. 9 of the same Code it is enacted that in order that there may be fewer moneyers than there have been, there shall be henceforth in every great market town (*summus portus*) three moneyers, and in every other port one, and they shall be responsible for their under-workmen (*suboperarii*), in respect both of purity and weight; and the portreeve is charged to see that all weights used in the port are marked with their true weight, according to the coinage standard, after the rate of 15 *orae* to the pound.* It appears by the same code that the chapmen were allowed to contract with the moneyers for supplies of money, and that they had sometimes bought good money and had it recoined into pieces of less purity and weight.

As instances of early grants of market rights we may mention the charters relating to Taunton and Worcester, which are printed by Kemble in the *Codex Diplomaticus*, and a charter which is quoted by Dugdale in the *Monasticon*, from the chartulary of Peterborough Abbey. Translated extracts from these documents will be found at pages 37 and 38 of the Appendix.

The first of these instruments is a grant of Taunton to the See of Winchester by Edward the Elder in A.D. 904.† The King, with the assent of the Witan, grants to the bishop and monks of Winchester, the Liberty in English called Taunton, with the appurtenances, free from all taxation, except the *trinoda necessitas*, and so that the bishop's officers should "have the same power and dignity as the King's officers who

* Athelstan had already founded a uniform coinage and enacted at the Witan of Greatanlea (*circa* 925 A.D.), that all money should be coined "within port": and he had arranged that there should be one moneyer in each of his boroughs, two at Lewes, Hastings, Southampton, Wareham, Exeter, and Shaftesbury, six at Winchester, and eight at London, with seven (between King, Bishop, and Abbot) at Canterbury, and three (of whom one was the Bishop's) at Rochester. Eadgar in confirming the uniformity of the coinage (*circa* 960 A.D.) added an ordinance to the effect that a uniform measure and weight should "pass" everywhere, the standard being that of London and Winchester. This was no doubt part of that system of requiring all weights and measures to be "sealed" by the town authorities, of which we find abundant evidence in the municipal records (*see* the extracts from the municipal records of Nottingham, *see* p. 26, *post.*) The Laws of Cnut direct that "all weights and measures be carefully rectified," and the statutes attributed to William the Conqueror order the sheriffs and reeves to see that "there are throughout the realm measures and weights most true and sealed, as our good predecessors appointed." We gather from the notices in Domesday that these standards of weight and measure continued to be commonly observed, though private standards existed, (one of which, that of Earl Eustace in Hertfordshire, is referred to as if it varied from the coinage standard), and variations of local measure, at least, in the case of the 'sextaria mellis' were allowed, one being known as the "measure of Gloucester," (*see* D.B., I., f. 162, 238, &c.) The surveys of the towns in the same record contain many particulars as to the coinage system at the death of Edward the Confessor, from which it appears that in some boroughs the management and profit of the local mint had passed to the body of the burgesses. It will be seen by an examination of the entries on the Hundred Rolls and in the Pleadings on Quo Warranto, that a special subject of inquiry was the correspondence of the local standards used for the assize of bread and beer with the "measure of the King's marshal," and that the right to keep private standards, and charge fees for their use, was regarded as a special franchise.

† *Codex Diplomaticus*, No. 1084.

“reside in the royal estates enjoy, and that they may exercise for their lord’s behoof
 “jurisdiction in all secular matters in the same manner as the jurisdiction of the
 “affairs of the King’s estates is carried on; and also the marketing of the said vill,
 “which in English is called ‘the town’s cheaping,’ and all the dues of the burgesses,
 “etc., with all the profits incident thereto.”

The second charter is a grant by the Duke of Mercia and his sister to the Bishop of Worcester, a few years previously, of rights over the town of Worcester, then recently built. The grant, which is witnessed by the King and the Witan of Mercia, provides that the See of Worcester shall have one half of all the grantor’s rights pertaining “to their lordship in the said town, whether in the market [Ceapstowe] or in the streets, whether within borough or without,” with an exception of certain royal dues; but that “for all the rest, whether land-fee or fines for brawling, or theft-fines, or fines for false dealing, or murage, or any other customs from which profits arise, one half of them shall go to the lord of the church aforesaid, as was before appointed concerning the lordship of the market,” and it was provided that the bishop should retain all his own lands and rights in the streets and outside the market place.*

The Peterborough charter† was granted by Eadgar about the year 960 A.D., with the assent of the Witan, to the Abbot of Peterborough. It appears to be a confirmation of rights which had already existed. The King decreed that a market should be erected at Peterborough, and that it should “be sought by the people converging from all sides for many advantages and for gains temporal and spiritual.” The market was to have an extended monopoly, provision being made that no other was to be held between Stamford and Huntingdon; and the Abbot was also to have, as belonging to his market, an exclusive right of toll on goods carried by water throughout a wide district, which is carefully defined by boundaries. This may be the same toll as that which is described in Domesday Book as belonging to the same Abbot in one of the wards of Stamford.‡

By the same charter the King granted to the Abbot the rural township of Oundle with all its rights and franchises, including market and toll, and all its rights in the adjacent “Eahta-hundred.” This connexion of the hundred with this grant of a market may be noted as illustrating a rule which may be found in the laws of Eadgar, by which *each hundred* was ordered to elect a panel of 12 market overseers. The charter goes on to declare that no one shall remove the market outside the bounds of the township, and that the Abbot shall have that market and toll “with its pleas and laws complete,” (*cum suis causis et legibus totum*), referring to the “piepowder court” and the byelaws for the regulation of traffic.§

Very little appears to be known about the constitution of the English towns before the period of the Norman Conquest. Dr. Stubbs regards the burh or walled town as only a more strictly organised form of the rural township. He considers that the larger towns may be viewed as associations of townships, and that “the municipal assemblies, except in places of great importance, must have been rather in the nature of meetings than courts in the proper sense of the term; but they may be safely understood to have had the power of making their own byelaws.”||

The presiding officer was the provost or reeve, whose office it was to look after the interests of the King or other lord of the borough. The whole borough, however, was under the superior authority of the sheriff of the county, and it is possible

* Codex Diplomaticus. No. 1075. The last clause seems to imply that a market already existed in the town.

† Vide the Chartulary of Peterborough in the Library of the Soc. of Antiquaries, No. 60, fo. 62.

‡ See D.B., i. 336, b. 2., in the Appendix, p. 41.

§ These markets are thus described in a confirmation charter of King John, A.D. 1200–1201. (Rot. Cart. 2 Johan. m. 17.) “Johannes Dei Gratia Rex, &c. Sciatis nos &c. concessisse . . . Deo et Beato Petro et Sto. Oswaldo Regi et Martiri et Monasterio de Burgo . . . in liberam et perpetuam elemosinam omnia tenementa sua que habent in dominio suo et mercatum et theloneum de Burgo cum nundinis octo dierum ad festum Apostolorum SS. Petri et Pauli, et mercatum et theloneum de Undele et theloneum de Dieping et theloneum navium de Alewalton’. Concedimus etiam eis pro salute nostra mercatum in villa de Scotera, cum nundinis trium dierum in festo Apostolorum Petri et Pauli: nec volumus quod aliquis quietus sit de theloneo in mercatis suis vel nundinis nisi ostendere possit quod inde libertatem habere debeat . . . Quare volumus . . . quod ipse abbas et successores . . . habeant et teneant omnia predicta bene et in pace . . . libera et quieta ab omni scoto et geldo . . . cum soc et sac et toll et them &c.: volumus et quod ipsi et omnia dominia sua sint libera et quieta ab omni theloneo in foris et nundinis et in omni transitu poncium viarum et portuum maris in Anglia et extra Angliam et per omnes terras nostras. Et prohibemus ne quis eos super hoc disturbet super decem librarum forisfacturam &c. Teste. &c. apud Friedmantell xxi die Decembris a^o rⁱ nⁱ 2^o.” The market of Oundle is mentioned in Domesday Book (i., f. 221–2), as yielding to the Abbey a profit of 25s.: and its value in later times may be inferred from the fact that in the survey of 26 Henry VIII., Oundle is valued at 98^l. 1^s. 0^d.

|| Constit. Hist., i., p. 90.

therefore that the townspeople may have been allowed from very early times the privilege of electing the provost. Kemble considered that the townspeople possessed in theory all the rights of independent government.* The portreeve of London appears to have been certainly treated as an officer having some rights independent of the Crown, and in the case of Canterbury we find a King's reeve and a portreeve, both attesting a charter† as witnesses. Although there is nothing that we can describe as a town council,‡ there was a formal meeting of the burgesses held at least three times a year, and we know by the laws that a panel of select men were appointed in each community to act as witnesses for legalising the transfer of cattle and goods. Dr. Stubbs believes that the townships which made up one of the larger burhs had probably their weekly courts also, and "the weekly market day would serve as a general gathering for the whole."§

Some of the greater cities, however, showed a tendency towards more than "a municipal independence." The Danish league of the Five Towns was, during part of the tenth century at all events, practically a free confederacy, not very different from the Hanse of the Imperial cities. Each of these confederated towns was governed by a body of law-men or hereditary judges, and the same kind of organisation, but with a less degree of independence, appeared at Chester and Ipswich. Exeter, as Professor Freeman says, claimed against William the Conqueror something very like the rights of a sovereign state.|| The size and wealth of many of the trading towns obtained for the inhabitants considerable privileges of self-government, especially when they had succeeded in being treated as separate hundreds, and in procuring assessments¶ of the dues to be rendered to the Crown or lord of the borough. The Domesday survey shows that Dover, Sandwich, Bath, Huntingdon, and many other boroughs had obtained privileges of this kind. The inferior boroughs were still regarded as being merely districts of the county, and as such were directly answerable to the sheriff. Their inhabitants were of different degrees of freedom, being divided into two main classes, the one consisting of those who held their houses by a fixed rent and were at liberty to go where they pleased,** the other class consisting of serfs who had been permitted to migrate from the country districts, and whose holdings were considered to be portions of the manors to which these tenants belonged. Burgesses of this latter kind, says Dr. Lingard, were still annexed to the soil and transferable with it, but all classes of burgesses possessed great advantages over the inhabitants of country villages. They were better protected from the attack of an enemy, they had the privilege of forming guilds, and they enjoyed the benefit of a market for the sale of their wares. "But the privileges and burthens, the customs and inhabitants of the "different boroughs, and frequently of those in the same borough were so various, "complex, and contradictory that it is impossible to arrange them under distinct "heads or to describe them with accuracy. They originated in the wants, the caprice, "the favour of the several proprietors, and those who desire a more ample gratification "of their curiosity on this subject must have recourse to the authentic pages of "Domesday."††

The first steps towards self-government were taken when the burgesses became the owners of property which they managed in common: but another important source of municipal privilege was the institution of guilds, which eventually acquired almost the entire control of local commerce. It has indeed been maintained by Professor

* He adds, "How far they could make these valid, depended entirely upon the relative strength of the "neighbouring lord, whether he were alderman, king, or bishop. Where they had full power, they probably "placed themselves under a gerefa of their own, duly elected from among the members of their own body, "who henceforth took the name of portgerefa or burh-gerefa, and administered justice in the burhwaremot "or husting on behalf of the whole State." Saxons in England, ii., 311.

† Codex Diplom., 789.

‡ There is no mention of town councils in the Anglo-Saxon laws or in Domesday, if we except a reference to the reeve's assessors in the Laws of Edward the Elder (II. 1, 5), and the description of a few burgesses at Colchester by the term "*consiliores*;" but extracts from the Scottish Records, as to the early existence of a class of counsellors who assisted the reeve, and as to the later organisation of "the Douzan" and "the Inquest," will be found in the volume of the Scottish Burgh Records Society relating to Peebles.

§ Constit. Hist., Stubbs, i., p. 94.

|| Freeman, English Towns, p. 208.

¶ Instances of a survival of the earlier system by which the burghage-rents were accounted for by the burgh officers, not in a lump sum, but "as the pennies come in," will be found in the Scotch charters in the Appendix, at p. 142, No. 2, &c.

** It appears from the description of Torkesey, in Domesday Book, that the burgesses of Lincoln were not permitted to sell their burghage tenements without the licence of the portreeve, and the same right of veto seems to have existed at Hereford.

†† Lingard, Hist. of England, i., p. 377. A collection of specimen extracts from the surveys of towns in Domesday Book, having relation to tolls and markets, will be found in the Appendix.

Brentano and Mr. Kemble that the guild organisation of the citizens was the very foundation of municipal freedom; but although the guilds were clearly a subsidiary part of the organisation of the towns, Dr. Stubbs has shown that there is nothing to justify the contention that they were the actual basis of their corporate constitution in England. In the oldest English cities, as at Canterbury, London, Dover, Winchester, Cambridge, and Exeter, we find these guilds existing before the Norman Conquest. The earlier Ordinance of the City of London, dating from about A.D. 930, by which the citizens agreed to abide by Athelstan's laws, discloses an arrangement among all the "frith gilds," or associations for maintaining the peace, then existing in the city. It is an agreement to combine for mutual help, freely made by a number of associations, "eorlish as well as ceorlish," acting under the presidency of the public officials, almost like the "communa," or governing body of later times, which was in many cases actually developed out of a merchant guild.*

Besides the general name of "burh," which signifies specially a walled place, the word "port" was used to designate any market-town or any place of mercantile importance. The early laws, indeed, will be found to have discountenanced the carrying on of any kind of trade except "within port" or by port-sale. The term has been variously derived from "porta," the city gate, where it is thought that markets may have been held, and from "portus," in the sense of a store or enclosed place for dealings with merchandise.† The chief officer of the trading town was the port-reeve.‡ The court over which he presided appears in some instances as the "portmote" or the "portmannemote."§ In the larger towns this court must have had cognizance of offences against the customs, of matters affecting the mint and of the general police of the district. In the smaller towns it may have closely resembled the court of pie-powder, inasmuch as it was part of the port-reeve's duty to witness all transactions by bargain and sale. Mr. Kemble adds, that it is probable that a portion of his official income was derived from the proceeds of tolls and fines levied within his district.|| The term "wic-reeve" was sometimes used to designate the official in charge of the rights of the Crown, even in such important cities as London and Winchester. In this connexion we may cite the early Kentish Code of Lothair and Edric, ascribed to a date between the years A.D. 673 and 684. The sixteenth law of the Code runs as follows:—"If any Kentish man buy a chattel in Lundenwic, let him then have two or three true men to witness, or the king's wic-reeve. If it be afterwards claimed of the man in Kent, let him then call the man who sold it him to warranty, in the wic at the king's hall, if he know him and can bring him to the warranty. If he cannot do that, let him prove at the altar, with one of his witnesses or with the king's wic-reeve, that he bought the chattel openly in the wic with his own property, and then let him be paid its worth; but if he cannot prove that by

* That the English guild system soon came to be intimately concerned with mercantile affairs may be inferred from the fact that, according to Madox, the Alderman of the very ancient Knihten Gild of London had the prerogative of being Alderman of the Merchant Gild of the city. The Statutes of the Thaness' Guild of Cambridge, reduced to writing soon after the year 1000, show an organisation for mutual security and aid in recovering stolen goods, which resembles that indicated by the London ordinances. The guilds of Canterbury and Exeter seem to have been formed as clubs and friendly societies for mutual insurance and defence. The nature of the merchant guild in Scotland may be inferred from the Charters of David I. and William the Lion, granting to the burgesses of Aberdeen a free hanse, "*liberum ansum suum tenendum ubi voluerint*," and the other references in the Appendix, including the so-called "*Statuta Gilde*." As to Germany, Brentano says, that in some places the towns gradually grew up round the market place provided for the assembly of an early merchant guild. *Introduc. to English Guilds*, pp. cv., xcix.

† This definition occurs in a passage from Ulpian: "*Portus appellatur conclusus locus quo importantur merces et inde exportantur*." *Digest lib. ult. tit. penult.*, l. 59. Du Cange notes the use of the word "porta" as meaning a shop. Dr. Stubbs observes, that though the word "port" is used for a city generally, it seems to have a special reference to the idea of a mart, and he says that "the port-gerefa at Canterbury had a close connexion with the 'ceapmanne-gilde.'" The word "port" is applied, among other instances, to Dover, Hereford, Northampton, Oxford, Milburn Port, and Langport. The term appears also in such words as port-rent, port-meadow, and Portmans Moor, the name of a common near Cardiff, and Portsoken Ward, which represented the estates of the Knihten Gild of London. The name of "portreeve" was given to the chief official of most of the market towns founded in Ireland after the first English conquest.

‡ Besides the two cities of London and Canterbury, which were governed by portreeves, Kemble has found instances of officers described by that name at Bodmin and Bath. Kemble, *Anglo-Saxons*, ii., 174, *Codex Dipl.*, 933, 981. These documents do not, however, indicate what the duties of the office were.

§ See *Laws of Edward the Elder*, cap. 1 (5), and of *Athelstan II.*, cap. 12, in the Appendix.

|| This suggestion appears to be corroborated by the smallness of the amounts returned in many cases as the value of the market tolls in Domesday Book. At Liskeard, for example, only 4s. is returned, at Milverton 10s., and even at the great manor of Tewkesbury 11s. 8d. only, whereas we gather from a few entries as to tolls in the survey itself, as well as from the general effect of the proceedings on *Quo Warranto* at the beginning of the reign of Edward I., that the ancient and customary rate of toll was at least 1d. on each horse, and on every cartload of merchandise, and often double that amount.

lawful averment, let him give it up, and let the owner take possession of it.”* The “wic-reeve” is not mentioned in the London codes of Athelstan and Aethelred already referred to; but there appears to have been at that time a subordinate officer called the town-reeve (*tungerefa*), whose business it was to superintend the collection of tolls.

The Laws of Ina had provided, as early as A.D. 690, that no one should buy anything outside a town except in the presence of credible men. Almost all the early English codes, in fact, provided for publicity of sales; the chapman who could not bring his witnesses was treated as being little better than a thief. By the same laws, if he had not sufficient witness to bear him out on goods in his hands being claimed, he had to clear himself by compurgators, or pay a fine of thirty shillings. The first chapter of the Laws of Eadward the Elder, given about A.D. 905, declared that “no man should buy out of port, but have the port-reeve’s witness or that of other unlying men;” and about 60 years later, in the Law of Eadgar, relating to the appointment of select men, it is provided that everyone must buy or sell his goods, whether in a borough or at a wapentake, in their presence, and that at every bargain there should be two or three of them to witness it. In the course of the 10th century an effort appears to have been made to prevent all buying and selling, even of cattle, except in a market town. The Laws of Eadward, already referred to, go on to declare that “if any bargain without port they shall be guilty of disobedience to the King,” and shall incur the fine of 10s. for contempt of his direction. In the Laws of Athelstan, passed at the Witan of Greatanlea about 925 A.D., it is again enacted “that none shall buy any property without port on pain of 20 pence, but the bargain shall be within port on the witness of the portreeve or other unlying man, or with the after-witness of the reeves at the folc-mote.” The next clause enacts “first, that every *burh* shall be put in repair (as to its walls)† within 14 days of the Rogation days,” and then repeats, “secondly, that every market (*ælc ceaping* in the Saxon, *omne mercatum* in the Latin text) shall be within port.”

This severe enactment, however, was repealed within ten years. A later law of the same King, declaring that all the Doms which were laid down at Greatanlea should be kept, excepted those relating to buying in port and sales upon Sunday; and in the later Doms of the City of London it was expressly declared that, in taking pledges from the shire-reeves to obey the Laws of Greatanlea, the exception was to be made “that with full and credible witness a man may buy without port.” In the reign of Eadmund, between the years 941 and 946, the law was declared to be that “no man shall bargain for or receive any unknown cattle, unless he can produce the witness of the chief reeve or of the parish priest, or of a portreeve, or the proof of an ordeal.”

Canute’s Laws forbade bargains above the value of fourpence for chattels, living or dead, within or without the borough, unless there were the “credible witness of four men,” no doubt of the sworn class already described. The laws attributed to William the Conqueror reverted to the severe legislation of the earlier kings, bargains and sales outside the towns being prohibited, and being only allowed in any case if made before three credible witnesses, on pain of losing the value of the purchase (if claimed) and paying a fine besides. According to the extant version of these laws in the so-called “Charter of the Conqueror,” sales were only allowed to take place in cities, boroughs, walled towns, castles, and other safe places, where there was sufficient good government and security to ensure respect for the authority of the common law and the maintenance of the rights of the Crown. The reasons here given for the supposed prohibition of country markets may be due to an afterthought of the Norman lawyers, the principle of the English laws on the subject having been based on the expediency of having a special class of witnesses for the transfer of property.

The notion that only a class of persons of exceptional credibility should be allowed to attest sales runs through the whole series of enactments. It is probable that this is one of the points at which the influence of Frankish legal theories and forms was felt. We know that in most of the English towns there was a class of persons who were technically called the “probi homines villæ,”—the “good” or “credible” or “lawful men” of the town. And in the continental towns we find that the ruling

* See the Extracts from the Early Laws in the Appendix, p. 33. The name “Lundenwic” is also found in a passage in the early “Vita Bonifacii,” where the words “forum rerum venalium Lundenwic” occur (apud Pertz II., 338); and in the Saxon Chronicle, anno 604, the seat of the Bishopric of Mellitus is called “Lundenwic.”

† It was for this purpose that the towns raised their “murage,” called “*burh-weallinges sceating*” in Æthelred’s gift to the Church at Worcester, which has already been cited.

class of citizens were also called "probi homines" and "boni viri." The term "boni viri" constantly occurs in continental documents between the 6th and 11th centuries as the common description of a special class of citizens acting as official witnesses,* or as "auditores" and assessors in the civic courts, presided over by the official judge, who was appointed under the royal or imperial authority.† With this may be compared the passage in the Laws of Eadward the Elder, as to the "witnesses" assigned to the reeve to help him in his judicial duties.‡ We may conjecture, therefore, that as the continental methods of government were increasingly imitated in England, the "credible witnesses" in the trading-towns were regarded as an official class, and were gradually organised into an official body, which afterwards was definitely regulated as to numbers, mode of election, and oath of office by the Law of Eadgar, to which reference has already been made.

It is possible that at one time the franchise called "tol" or "theloneum" may have included the liberty of setting up markets and regulating trade throughout all the lands belonging to the grantee of the privilege. But it is clear that in the 11th century the principle had been adopted, whether it was formally enacted by William the Conqueror or not, that markets and tolls should be confined to those places which were appropriated to such uses by custom or charter, or which should thereafter be so appropriated by the King or a mesne lord acting under authority delegated by the Crown. We have here the origin of the distinction between places of mercantile importance, including all the market towns on the one hand, and the "upland towns" and villages possessing no market rights on the other. This may be illustrated by a passage contained in a document called an Appendix to the Laws of Edward the Confessor (Harl., MSS. 746), which is to the following effect:—"Be it known that, within three miles on every side of a city, no man ought to let or hinder another, or do marketing with him, if he comes within the peace of the city; but, when he has reached the city, then let there be for him the common right of market, as well for the poor man as the rich." This seems to be one of the earliest attempts to prevent "forestallers and regraters" from getting an unfair advantage by buying up goods outside the competition of the market, of which the latter town records furnish numerous examples.

There are several complaints in Domesday Book of the setting up of markets without authority, and of the exaction of new tolls, as for example in the "claims" which follow the detailed survey of Lincolnshire, where a complaint is made of Gilbert de Gand (who had a market at Barton), that his men took a toll different from that which had been taken in the reign of King Edward, exacting payment for bread, fish, and hides, and many other things for which nothing had ever been paid before; and there were similar complaints in the same county as to the exaction of unauthorised tolls at Saltfleet and Grimsby. The institution of new markets under the royal authority is frequently noticed in the survey, together with complaints, in some instances, of a market being illegally established to the injury of the neighbourhood.§ Thus we read of a "novum forum" set up in the King's manor of Cirencester, and of another at Cookham, of a market recently founded at Bolingbrook, of Roger Bigod having a manor in Suffolk where his free tenants "now have a market by the King's grant," and of the market established by Queen Matilda in her "colossal manor" of Tewkesbury. At Eye, in Suffolk, which had been merely a rural estate, we recognise the foundation of a new town, where "now there is a market, and in the market 25 burgesses dwell"; and in the same way we are told of the manor of Berkeley that there was a market

* As to the system of witnessing documents of title before the curiales, see Marculf, *Formulare*, II., 37, etc. Instruments of this class, where the "honorati" are described in the formula of attestation as "boni viri," are to be found in the *Diplom. Chartae*, I., p. 25, p. 39, and p. 123, and *Acta SS. Januar. Additamenta*, II., p. 1042. Such a case occurs in an ecclesiastical charter attested at Mans, as early as 528 A.D. Another Mans charter is attested thus: "Manus nostras subterfirmavimus et aliorum *bonorum virorum* decrevimus roborare: actum in mallo publico: . . . Agatho *honoratus* subscripsi."

† See *Histoire de Languedoc*, Vol. II., preuves, 56, &c. *Histoire de l'Abbaye de S. Denys*, pièces justificatives, 40, 47-9, &c.

‡ See Appendix, pp. 45, 51.

§ Thus, in the survey of Winchester, called the Winton Book, which was made by Henry I. with reference to the condition of the city in his own reign and in that of the Confessor, we find a complaint that a market had been set up "at the three monasteries," on the land of the Abbot and of Herbert the Chamberlain, which was not there in the time of King Edward. The nature of the legal market in the same city appears from the entries as to the weekly rents paid to the King for the use of stalls and shambles. The survey was printed by Sir Henry Ellis in the volume of appendices to Domesday Book.

place, in which 17 men dwelt, and rendered certain rents included in the fee-farm payable to the Crown.*

Domesday Book does not give us any complete list of the existing market towns. It is probable, as Mr. De Gray Birch suggests, that only those markets which yielded toll to the King were returned, and that free markets would not enter into the scope of the Commissioners' work. The correctness of this view is justified by the fact that in one or two instances we have a description of a fraction of a market, as "half a market" at Downham, in Norfolk, "a quarter of a market" at Lycham,† in the same county, and "a third part of a market" belonging to the manor of Haverill, in Suffolk, without anything being said as to the ownership of the residue of the profits. Similar instances occur in the case of fisheries, the description of one moiety of a particular fishery being omitted, although it can be proved that it has existed down to modern times. It may be observed also that among the Lincolnshire complaints, or "clamores," of which mention has already been made, there is one which relates to new tolls being exacted by the King's men at Caistor, without any notice of a market in the detailed survey of that place, although a market is believed to have existed there from time immemorial. Some districts, again, appear to have been much more completely surveyed than others. There are, for instance, no detailed accounts of markets or tolls in Yorkshire, although there is a list of those who had the privilege of "tol" in the time of King Edward.‡

It is impossible to suppose that there was not an important market at York at the date of the compilation of the survey. Yet, the only entries which seem to relate to market rights are those referring to certain claims of the Church of St. Cuthbert and its canons to toll in respect of a particular house,§ and to two stalls "in macello" belonging to the Earl of Mortain. In the description of Lincoln we are told that one of the Lawmen had "tol and theam," though all of them had sac and soc. It is stated, that a great English landowner, "Tochi filius Outi," had a liberty including, as some alleged, 30 tenements besides his "Hall" and certain churches, although the contention of the burgesses was that only the hall was exempt from tolls and customs, and that the tolls and fines arising in respect of the burgage tenements belonged to the King. Another estate, described as a "maneriolum contiguum civitati," includes two churches and about 80 tenements, which are held "with sac and soc and tol and them." Among several other estates exempt from various customs, we are told that Alured "has three tofts, in which he has all the customs except the King's dues on coining," and it is noted that the mint returns to the King the large rent of 75*l.*, although the town was greatly reduced "by misfortune and poverty and conflagration." From the survey of Torksey, it appears that the burgesses had the same rights as the men of the neighbouring city, and even greater rights, "because every one of them who owned a messuage in the town might enter without payment of toll or custom."

There are notices, both under Torksey and Lincoln, of the fact that the reeve of Lincoln had a right to veto the sale of any tenement there to anyone who was not a burgess or a kinsman of the vendor, except in the case of tenements in Lincoln held by the men of Torksey, who claimed to be free. Torksey seems to have been in some way annexed to the city of Lincoln, which was one of the five towns of the Danish League, for it is called a "*suburbium*," and is said to have contributed a fixed proportion of the amount rendered by Lincoln to the King as "geld." In the case of Stamford, another of the five towns, King Edward had all the customs, including toll, in five out of the six wards; but the Abbot of Peterborough had all tolls in the sixth or Northamptonshire ward, which was probably built on his own

* The burgesses entered in the descriptions of agricultural villages may have sometimes been husbandmen, but it is probable that they were usually handicraftsmen and tradesmen, liable only to occasional services of agriculture. At Bury St. Edmunds there were 75 tradesmen, including bakers, brewers, tailors, washers, shoemakers, skimmers, porters, and stewards, who were bound to cut corn in harvest, the services being commuted for a rent called "reap-silver" when the place became a borough. Domesday Book, ii., 372, Hist. Monast. Burg. 12. At Battle, under Henry II., we are told that 115 burgage tenements were occupied by smiths, shoemakers, and other tradesmen, who with few exceptions, had to work in the meadows and at the mill, but were called burgesses "on account of the superior dignity of that place's excellence." England under the Normans, Morgan, 152.

† These may have been parts of the same market; Downham and Lycham were both hamlets of Melcham, see p. 43.

‡ See Domesday Book, I., 298.

§ D.B., I., 298 "[The Church of] St. Cuthbert has a house which they have always had, as the majority say, free of all customs; but the burgesses say that in King Edward's day it was not free of custom further than any burgage tenement, excepting that in respect of it, the bishop had the toll of his own transactions and of those of his canons," apparently a description of a private liberty similar to that granted by Alfred to the Church of Worcester.

land, for he had the "land-gavel" also. These arrangements were still subsisting at the time of the survey, and they seem clearly to indicate that tolls on marketing of considerable amount were taken both before and after the Conquest. It is remarked that the King's forfeiture heriot and toll were specially reserved to the Crown in the case of 77 burgesses in the King's wards, who held their lands in demesne as socage tenements, and were free to transfer their services to any lord,* implying probably that the other burgesses could not sell their houses without licence. As in Lincoln, the 12 Lawmen in King Edward's time had sac and soc "in their houses and over their tenants," some of them having a number of tenements; nothing is said explicitly about "tol and team," but as the rights reserved to the King are enumerated and "theloneum" is not, as in other cases, named, we may conclude that the Lawmen had private market rights. The customs concerning the making of bread are mentioned as having been reserved to the Crown in a large estate of Queen Edith, including 70 tenements where, with that exception, she had "all customs." None of the other Domesday surveys of towns mention any control of bread and beer, except that of Chester, where we are told that anyone who brewed bad beer "was set in the cucking-stool or paid 4s. to the reeves," and that of Hereford, where all brewers paid a "custom" of 10d. annually.

At Derby we are told that the King and the earl divided the "theloneum" (as well as the fines and other customs) by thirds. At Wallingford, private rights were suspended on Saturdays, "because of the market, for then the forfeiture belongs to the King."

The survey of Chester gives us more information as to trade and toll. The local laws are given in some detail. Besides the reference to an assize of beer already mentioned, as to which it is particularly noticed that the jurisdiction extended over the land of the bishop (who had a "burgum" of his own) and all other private lords, there is a statement that a like fine of 4s. was inflicted throughout the city for false measure. A toll on merchandise, payable "within the third night," is spoken of as extending in the same way over the whole city, including the bishop's possessions, but it is also explained that the prohibition of Sunday marketing was enforced by a system of tolls exacted by the bishop's officers from all persons who broke the holiday rest, and particularly from any merchants arriving in the city with carts between the ninth hour on Saturday and Monday morning, who incurred, if they ventured to unload without the bishop's license, a penalty of 4s. In like manner the peace of the community on holidays was protected by double fines. A right of pre-emption was exercised by the King's reeve as regards all cargoes of martern skins imported, which were to be "exhibited" to him before they were offered for sale, under a penalty of 40s.; they were evidently a leading article of trade, since the farm of the city was assessed at 45*l.* in money and "three bales of martern skins." No ships were allowed to enter or leave the port without "the peace and licence of the King" on pain of a fine of 40s. for every person on board; but those who were free to enter might sell their cargoes without restriction or toll, subject to a payment of 4d. for every "lesth" of cargo when they were leaving. Twelve Lawmen, called "judices," are mentioned as bound to attend the Hundred Court of the city, but nothing is said of their rights; and seven moneyers are mentioned as having paid 1*l.* each in King Edward's time, besides the usual tolls payable by them at each change of the coinage.†

We may take advantage of the recent publication of the records of Nottingham to illustrate further the mode in which the survey deals with places of mercantile importance where markets are not specially mentioned. Nottingham was one of the great towns of the Danish League, and was of capital value as a stronghold commanding the passage of the Trent. The Domesday Survey does not mention the market, but describes 48 merchants' houses as belonging to William Peverel, and four belonging to other lords. There were two boroughs, the "Borough French" and "Borough English" of later records, and a large rent was paid to the Crown for the

* References to the distinction between burgesses who were free to transfer their service and those who were not, occur in the surveys of Thetford, Norwich, and other towns in Domesday Book.

† There appear to have been frequent changes in the coinage, and the arrangement in the reign of Edward the Confessor was that on each of these occasions the moneyers had to go to London to get the standard dies, for the use of which they generally paid a sum of 20s. each, 15 days after their returning home. In the survey of Shrewsbury this is stated as the common rule for all the moneyers of the realm. At Worcester, however, they are said to have paid 20s. "at London." At Hereford they seem to have paid 18s. at London and 20s. in a month from their return, besides doing work for the King. At Lewes the payment of 20s. at each change is again mentioned. At Dorchester, Bridport, Wareham, and Shaftesbury, we have a uniform rate of a mark of silver and 20s. In Wallingford and some other places we are told that the moneyers' tenements were quit of the ordinary customs.

liberties of the townsmen, besides 10*l.* for the privilege of having a mint. The records of the borough explain the nature of the rights for which the rent was paid.* The charter of Henry II. confirms to the burgesses the free customs which they had in the time of his grandfather, including "tol" and "tolls from Thrumpton to Newark, and of all things crossing the Trent as fully as within the borough of Nottingham," and on the other side from the brook beyond Rempston to the water of Retford on the north. Then, with a reference to the weekly markets, the charter provides that "the men of Nottinghamshire and Derbyshire ought to come to the borough of Nottingham on Friday and Saturday with their wains and pack-horses, nor ought anyone within a radius of 10 leagues from Nottingham to work dyed cloth, except in the borough." "Also all who come to the market of Nottingham from the eve of Friday to the eve of Saturday shall be free of distress, except the King's ferm; and the passage of the Trent ought to be free to navigators for the breadth of one perch on either side of the mid-stream." The last proviso is a renewal of one which is found in Domesday Book. The charter of John confirmed the same rights, with the additional privilege of having a merchant guild with all liberties and free customs which ought to belong, or usually belonged, to a merchant-guild; and provided "that the burgesses should be quit of tolls throughout England, within fairs and without," and that they might elect their own reeve to answer to the King for his "ferm." Henry III. added the right of taking "tronage," so that they might have tronage in the town of Nottingham of goods which go by weight (*avoirdupois*), as such dues were wont to be taken in other English boroughs and cities. The next record of importance is an agreement between the burgesses of Nottingham and the Prior of Lenton, dating from the beginning of the 14th century, by which the prior yielded up four days of the lawful duration of the fair and gave certain privileges to clothiers, apothecaries, and mercers of Nottingham who might wish to hire booths on certain conditions, in consideration whereof the burgesses agreed that no market should be held in Nottingham so long as the fair lasted "for sale of any kind of merchandise, except within houses and doors and windows," and it was agreed that during the fair the Prior or his bailiffs should receive toll in Nottingham of all things of which toll was used to be received according to the custom of the fair of Lenton. Before leaving this part of the subject it may be observed that the markets of Nottingham, like those of other towns, were under the control of the Chief Justice of the King's Bench and the King's Clerk of the Market, who used to proclaim the prices at which provisions might be sold, until, in the 15th century, as municipal freedom advanced, the King granted that neither the steward and marshal of the household nor the royal clerk of the markets should thenceforth sit or exercise jurisdiction within the limits of the borough.

We may now proceed to notice the most important places, the markets of which are actually mentioned in Domesday Book. London, Winchester, and other towns were omitted from the Survey, and we have seen that some others of the most important cities and trading-towns had no special mention of their mercantile privileges, even where there is no doubt that markets and tolls existed. There are, however, about 50 places in which markets are definitely named. In the first place may be mentioned a class of manors included in the ancient demesne of the Crown, such as "the King's little town of Faversham," where there was a market worth 4*l.* a year; Netcham, in Hampshire, where the dues were worth twice that amount; Cookham, on the Thames, where a new market had been set up just before the survey; and in Somerset, Frome, where the market dues were 46*s.* 8*d.*; Ilchester, with an important market worth 11*l.* yearly, with its appurtenant profits; and "Cruche," or Crewkerne, and Milverton, where the "ferm" of the manors belonging to the King were increased, because of the market dues, by sums of 4*l.* and 10*s.* respectively. The valuable markets of Leighton and Luton are also referred to, as well as the markets and tolls at Basingstoke and Titchfield.

The King's town of Sudbury had a market and mint. Bampton, in Oxfordshire, had a market worth 50*s.* The regulations as to forfeitures arising out of a breach of the market-peace on Saturdays at Wallingford have been already mentioned. In the "manor of Milburne-port" there were "56 burgesses with a market;" at Bovecome, in the Isle of Wight, a "toll," and at King's Sutton a "forum." On the estates belonging to the Church markets are mentioned in the descriptions of the Archbishop of Canterbury's village of Newenden; of Bradford-on-Avon, belonging to the monastery

* See Stubbs, *Select Charters*, and the *Records of the Borough of Nottingham*, lately published by the Corporation, extracts from which are embodied in the Appendix, at p. 53.

of Shaftesbury; of the Bishop of Lincoln's manor of Louth in Lindsey; and of the manor at Ilminster, belonging to the church of Muchelney. At Berton, which belonged to the Abbot of Abingdon, there were 10 merchants or chapmen "living in front of the church door," and at St. Germain's the Bishop of Exeter had a Sunday market, which was "reduced to nothing," because the Earl of Mortain had set up another in its immediate neighbourhood. In the same way the Bishop of Thetford had a Saturday market at Hoxney, in Suffolk, "but William Malet set up another in his castle of Eye, and by reason thereof the Bishop's market is now of little worth." In Cornwall, the Earl of Mortain had taken away the market of Launceston from the canons of St. Stephen's, as well as the "forum annuale" of "Matele"* from the Bishop of Exeter. St. Petroc's church still held 68 houses and a market at Bodmin. With the market at Louth the Bishop of Lincoln had 80 burgesses. At Beccles, in Suffolk, the Abbot of Bury St. Edmund's had three quarters of the profits of the market and the King had the rest, which is referred to in the survey of the soke of Gorleston. It is observable that the account of Norwich speaks of the abbot inducing a colony of burgesses to migrate to his town at Beccles. At Eton, in Herefordshire, the Bishop had purchased the manor in exchange for the land on which "the market" was held at the date of the survey, but we are not told which market is meant. There are several more markets mentioned in the descriptions of Norfolk and Suffolk which need not be particularly noticed, and we may also pass over the scanty descriptions of isolated markets at Arlsey in Bedfordshire, Liskeard in Cornwall, and in the soke of Bardney in Lincolnshire. The great tenants in chief who held the manors of Higham Ferrars, Melton, Spalding, and Thornbury had markets in those places. At Trematon, in Cornwall, the Earl of Mortain had a castle and a market worth only 4s. a year; at the Castle of Ruddlan burgesses, toll, and a mint are spoken of; and at Tutbury, in Staffordshire, we are told that "in the borough round the castle there are 42 men living only by their market, rendering 4*l.* 10*s.* besides the market dues." Of the other castles, merchants are noticed at Okehampton, and merchants and toll at Arundel.

The documents of the Norman period posterior to Domesday Book throw little light on the history of markets, with the exception of a few royal charters of grant, such as the grant† by Henry I. to the Abbey of Ramsey of a Thursday market at his manor of "Jacheslade, with sac and soc and toll and all other customs," as the same had been granted by William Rufus. There are, however, records of pleadings in actions from the commencement of the reign of Richard I. to the end of the reign of Edward II., which afford a good deal of information as to the condition of the markets during that period. An abstract of these pleadings was made in the reign of Queen Elizabeth, and was published by command in 1811, under the title of "Placitorum Abbreviatio." Extracts from this compilation, bearing on the subject of fairs, markets and tolls, will be found in the Appendix. A number of them refer to changes of the market day,‡ the change in many cases being from a Sunday to a week-day. In the reign of King John, for example, we find a complaint that the market day at Tutbury had been changed, and that the assize of cloth was not kept; and the borough of Stamford was fined 20 marks for a similar change of day, "and for a foolish presentment and because they chose the poorer men of the town to present their verdict."

It was unlawful to change the market day without the royal licence, at any rate unless the change were from a Sunday to an ordinary week-day. Among the pleas of the reign of King John there are several examples of fines being imposed even for a change of the kind last-mentioned. Thus it was found that a market of Burton in Lincolnshire had been altered from Sunday to Tuesday, for which a fine of one mark was imposed on the lord of the market. In the 4th year of the reign of John we find that the Earl of Albemarle was amerced for a similar alteration of his market at Luton in Bedfordshire, the Earl of Huntingdon for a similar change at the market

* See p. 5 *supra*. It appears, by a comparison of D.B., I., 120, with the parallel passages in the "Exon Domesday" (which represent in their original form the inquisitions on which the survey of these counties was based), that the word "forum" is in this case used for a "fair." The word is also used as meaning a "market place"—the "curia" or "ceapstowe"—at Berkeley, and appears without any qualification, except the mention of the annual value, at Freckingham and King's Sutton.

† This grant was recited by Inspeximus in the charter rolls of 12 Henry III., p. 1, m. 11, and of 8 Edw. II., No. 36.

‡ The transference of a market from the customary place to another vill is the subject of one of the Lincolnshire pleas of the reign of John, see Appendix, p. 84.

of Potton in the same county, and the Earl of Clare in Northamptonshire, for altering the market of Rowell, and the Abbot of Bury St. Edmunds for a similar alteration in the time of holding his market in his borough. Instances occur, however, in the same reign of a similar change being allowed without the exaction of a fine, as for example, at Edenham, Wainfleet, and Lafford, in Lincolnshire, where the owners of the franchises were permitted to change the Sunday markets to Monday, Tuesday, and Thursday respectively. It appears, indeed, that at the beginning of the 13th century there was a strong and growing opinion that Sunday marketing was wrong, which may have been due in a great measure to the preaching of Eustace de Flay, of which we have accounts in Hoveden.* In the pleas of the Crown for the county of Gloucester† in 1221 there is a presentment for the town of Winchcombe, that the market had been altered from Sunday to Monday, but inasmuch as the change was not to the nuisance of any neighbouring market, the justiciaries confirmed the alteration. Bracton also,‡ in treating of the pleas of the Crown, makes the general statement that changes in market days are not to be allowed except in the case of a Sunday market; and in course of time, as we have already observed, the system of Sunday trading was prohibited.

There are also complaints of levying new tolls and of taking tolls unjustly, and proceedings in a great number of cases against persons setting up new markets to the nuisance of franchises already existing. We may take as examples a case in the 51st year of Henry III., in which the Abbess of Wherwell was sued for setting up a market at the manor there, to the nuisance of the King's free market of Basingstoke, and another case in the same reign where Richard Earl of Cornwall sued the Earl of Norfolk for erecting a market at Chesterford in Essex, to the damage of his free market at Newport.§

There was everywhere great jealousy of the invasion of a profitable monopoly by the usurpation of new trading privileges. Whenever any grant of a new market or toll was solicited from the Crown it was necessary to inquire by a jury on a writ *ad quod damnum*, whether the grant was prejudicial to the King or to others in case it should be made, and the charters of grant were framed with a saving clause to protect the interests of the owners of neighbouring markets.|| Bracton, in the Treatise *De Legibus* (f. 235), states that a market would be a nuisance if set up within six miles and two-thirds of a mile from the site of an existing market. His reason for selecting this limit was that an ordinary day's walk may be taken at 20 miles, and that dividing the time into three portions, the morning will be used in going to market, the middle of the day in buying and selling, and the other third part of the time in returning home. He observes that the time allowed for business may not be enough for the "*mercatores stellati*," or chapmen exposing their wares on stalls, and he points out that the market folk had to get home by daylight, because of the abundance of robbers.¶

Mr. Boase, in his account of Oxford, describes the alarm which was felt at Oxford and Wallingford when Henry II. granted a market to Abingdon. The same King had given a Tuesday market to Woodstock, and there were others existing under

* Hoveden's account of Eustace de Flay contains the following passages: "*Lundoniis autem, et in aliis locis multis per Angliam prædicatione sua effecit quod de cetero in diebus Dominicis forum rerum venalium nequaquam exercere præsumunt.*" And under the year 1201, "*eodem anno Eustacius Abbas de Flay rediit in Angliam et prædicans in ea verbum Domini de civitate in civitatem et de loco in locum prohibuit ne quis forum rerum venalium in diebus Dominicis exerceret.*" "*Pervenit igitur dominus Eustacius Eboracum et . . . de transgressione Dominicæ diei et aliarum festivitatum dedit populo poenitentiam et absolutionem sub tali conditione quod ipsi de caetero debitam impenderent Dominicæ diei et aliis sanctorum festivitibus reverentiam . . . nec in diebus dominicis exercerent forum rerum venalium . . . ab hora nona Sabbati usque ad ortum solis in die Lunæ.*" Hoveden, (in the Master of the Rolls' series) Vol. IV., pp. 124, 167-9. Compared the Chester App., p. 41.

† Maitland, Pleas of the Crown for Gloucester, p. 12, 139.

‡ *De Legibus*, fol. 117.

§ Among the extracts from the *Abbreviatio Placitorum* in the Appendix (p. 81) will be found a reference to the arrangements made by Edward I. as to the method of weighing "in every merchant town and fair." The King's charter had granted to the foreign merchants trading to this country that all merchandise should be weighed "standing beam," and the mayor and citizens of London unsuccessfully contended that by their custom they were nevertheless entitled to weigh "down weight" (*Abbr. Plac.*, 35 Edward I., Trin. s. 61). In a case of refusal to sell victuals at Shoreham in 2 Edward II., the person aggrieved recovered damages.

|| The same rule applied to fairs. A verdict that a new fair set up by the Abbot of Reading was "to the nuisance" of the fair at Hereford, will be found among the extracts from the *Abbreviatio Placitorum*, at p. 80, followed by a judgment "that the fair be wholly quashed."

¶ Several special cases are mentioned in the Hundred Rolls and *Pl. de Quo Warranto*, see at p. 23, and at p. 10, under the names of Maiden, Newton, and Lyme.

earlier charters at Eynsham and Charlbury. It appears, however, that Abingdon maintained its privilege when the appeals were heard. Mr. Boase also cites* from the ordinances of the University a set of byelaws which show the actual arrangements of the market at Oxford at the beginning of the 14th century. The sellers of hay and straw were to stand with their teams in the middle of High Street, and sellers of faggots in carts and waggons between Oriel Lane and the High Street. The timber merchants were to be between St. Thomas' Hall and St. Edward's Lane, and the sellers of hogs and swine between St. Mary's and Allhallows Church. Vendors of ale and beer had their place between St. Edward's Lane and the Chequer Inn, and sellers of roots and coals by St. Edward's Lane on the north of High Street. Glovers stood between Allhallows Church and the Mitre, bakers between Carfax Conduit and Northgate, furriers and drapers by a certain pump in High Street, tanners between Carfax and Somner's Inn, butter and cheese merchants from Carfax corner towards the Old Bayly, and corn merchants between the Cross Inn and Northgate.

The streets in many market towns bear the names of particular trades, from the circumstance that the different trades were localised by custom in particular rows and corners of the "cheapstowe" or market place, the old divisions remaining as streets when the booths were replaced by permanent buildings. Instances of this practice may be found in the Nottingham Records, and in the ancient survey of Winchester to which reference has already been made, and a familiar illustration of the same practice occurs in the case of such London streets as Milk Street, Fish Street, the Poultry, and other names adopted from the ancient rows of stalls in the great market at Cheapside.†

The Records called the Hundred Rolls and the *Placita de Quo Warranto* contain a considerable amount of information as to the development of our market system. One of the first acts of Edward I. on his return to England from the Crusade was to inquire into the state of the royal demesnes, and of the rights and revenues of the Crown, including an inquiry into the conduct of the sheriffs and other officers who might have defrauded the Crown or oppressed the people by exactions. Among the articles into which the justices itinerant inquired in their ordinary septennial circuits there were many which bore on questions of trade and commerce. Bracton tells us in a passage of the *Treatise de Legibus* (f. 116, 117), in the tract on the Pleas of the Crown, that among the new pleas to be inquired into were those relating to weights and measures: to the sale of wine in breach of the assize in cities, boroughs, and other market towns: to the levying of new tolls and customs: to the change of markets from one day to another without the King's licence, unless the change were from a Sunday to a week day: and to the erection of new markets without the royal licence and authority. Inasmuch, however, as the time for holding these circuits would not have come round again for several years, the King issued a special commission under the Great Seal dated on the 11th of October in the second year of his reign, directing the justiciaries to make inquiry under 35 Articles, afterwards increased to 47, whereby the Commissioners were commanded to survey all cities, boroughs, and market towns, and to inquire about all demesnes, property, and liberties belonging to the King or to others claiming under his authority, and to distinguish tenants holding in demesne, or as villeins, bondmen, cottagers, and freeholders, and such as held woods, parks, chases, warrens, waters, rivers, liberties, fairs, markets, and other tenures. The eighth and ninth of these Articles had particular reference to claims of franchises and misuser of franchises which had been granted by the Crown. The tenth was concerned with grants of franchises which might in any way impede the course of common justice. Under one or other of these heads the juries had power to make presentments as to all cases of the exaction of illegal tolls, or as to interference with trade by improper claims of rights as to fairs and markets. The Commissioners having in the next year returned their rolls of inquisitions in obedience to the Commission, it was necessary for the Court of Exchequer to have in one view such parts of the returns as affected the rights of the Crown and the abuses of its officers, and to this end certain rolls were drawn up, containing a selection under the denomination of "Extracts." These Extracts of 4 Edward I. form the only remaining evidence of the contents of the immediately preceding inquisitions for the counties of Bedford,

* Historic towns, Oxford, C. W. Boase, pp. 14 and 58.

† Other descriptions relating to the method of holding ancient markets will be found in the extracts from the *Abbreviatio Placitorum*, relating to Winchester, 43 Henry III., and to Faversham, 38 Henry III., pp. 78-79.

Berks, Cambridge, Cornwall, and Huntingdon;* and as to these counties we are confined for the most part to entries relating to the Exchequer, without much detailed information as to the franchises the title to which was disputed. For many of the other counties both the rolls of Extracts and original inquisitions are preserved. There are also Hundred Rolls taken under a special commission of the 7th year of Edward I., which form a valuable survey of the counties of Bedford, Bucks, Cambridge, Huntingdon, and Oxford. These are published with certain other inquisitions for Bucks, Oxford, Salop, Stafford, and Wilts, taken in the 39th year of the reign of Henry III., in the two volumes called *Rotuli Hundredorum*, printed by command between 1812 and 1818. The Statute of Gloucester, enacted in the 6th year of the reign of Edward I., of which the first part relates to liberties and franchises, appears to have been based upon the inquisitions taken under the commission issued at the beginning of the reign, and it is to be observed that after the date of this statute the articles under which the Commissioners had acted formed part of the instructions to the justices itinerant, and were delivered by them as part of their charges on circuit. After the passing of the Statute of Gloucester, and by virtue of its provisions, proceedings were instituted against a great number of persons as to whom the juries had presented that their franchises were illegally claimed, or that the title thereto was unknown, the parties being summoned to answer in proceedings on *Quo Warranto* by what title they claimed to have the rights as to which the presentments had been made. The rolls of the pleadings in answer to these charges and the judgments thereon for the reign of Edward I. and his two immediate successors are known as the "*Placita de Quo Warranto*," and were printed by command under that title in 1818. The following examples illustrate the nature of the information contained in these Records, and specimen extracts from the Records themselves will be found in the Appendix.

As samples of the numerous complaints about the erection of new markets to the prejudice of existing franchises to be found in the Hundred Rolls, we may take the following cases. The borough of Shaftesbury complained that the Bishop of Winchester and others had set up illegal markets in the neighbourhood of Shaftesbury to damage of the burgesses; the borough of Windsor complained that the Abbess of Burnham had set up a market at Beaconsfield without warrant, and a market at Burnham to the prejudice of the King and his market at Windsor; the men of Devizes claimed the liberty of a market, with a toll valued formerly at 16*l.*, and a privilege of having no other market set up within seven miles of the town, and complained that a new market had been established at Steeple Lavington, whereby the amount received from their own market was reduced to 12*l.*

The burgesses of Northampton complained that, though the liberty granted to them by the Crown was "that no market ought to be erected within a space of 10 'leagues' round Northampton," yet the Prior of Daventry, the Countess of Arundel, and others had markets, some new and some old, within that circuit, namely, at West Haddon, Olneyde, Brykelesworth, Daventry, Towcester, Wollaston, and Wendlingbury; and they alleged that by these and other like infringements of their liberties the burdens of the town were so increased that the weavers, dyers, drapers, and other traders and shopkeepers were leaving the town. In Sussex the men of Steyning said that Walter de Clifford had set up a market at "Fyndon" to the damage and nuisance of all the boroughs of the Rape of Bramber.

The same grievance of infringement of a trading monopoly sometimes took the form of an objection to the foundation of a new trading town. The best instance of this will be found in the presentments of the jurors of Newcastle-on-Tyne, who alleged that the Prior of Tynemouth had done great injury to their trade, not only by setting up a market at Tynemouth, but also by creating one town at North Shields and another at South Shields, where there had previously been only a few "lodges," but where now a large trade was carried on.

Other kinds of complaints as to disturbance of market rights occur in the Hundred Rolls, though less frequently. At Gorleston, in Suffolk, it is said that the market-place had been narrowed 30 feet all round by buildings improperly erected by the

* Besides the counties named Rolls of "Extracts" dated in 4 Edward I. exist also for Bucks, Derby, Devon, Dorset, York, Gloucester, Leicester, Lincoln, Nottingham, Oxford, Rutland, Stafford, Somerset, Warwick, and Worcester; "Extracts" dated in 2 & 3 Edward I., for Essex, Hertford, Norfolk, Northumberland, Somerset, Sussex, and Suffolk; and inquisitions described as "Hundred Rolls" exist for Bucks, Devon, Derby, Dorset, Hereford, Herts, Kent, Lincoln, the City of London, Norfolk, Notts, the town of Northampton, Rutland, Suffolk, Hampshire, and Wilts, all dated in 3 Edward I.; for Essex, Gloucester, and Salop in 2 Edward I., and for the county of Northampton in 4 Edward I. The counties for which the evidence as to this series of inquiries appears to be most complete are Lincoln and Norfolk.

"tenants of Little Yarmouth." The returns for London include a good many complaints as to the removal of the corn market from Westcheap, and as to the change of the places where various trades had been conducted, the traders having, as they alleged, had their customary places, stalls, and "chests," for which they paid a fixed rent to the sheriff.

Another class of presentments related to grievances caused by the exaction of illegal tolls, either on market sales or as toll-thorough for the passage of goods by land and water. The people of Bradford, for example, complained that the owners of the town had invented new imports, called door-toll and huck-toll, for things brought and sold at housedoors. The complaint at Newark was that the Bishop had invented a new custom called ale-toll, contrary to the conditions of his franchise; and at York the bailiffs were charged with preventing the citizens from doing business, even in laying in their own store of victuals, until they had paid an exaction called "utlode." It is by no means uncommon to find complaints as to the exaction of tolls on the sale of bread, meat, and fish, the juries in many cases setting up the claim that ordinary victuals of these kinds ought to be toll free in every borough in England. The jury at Stamford, however, presented that Earl Warren charged toll even for bread to be given in alms, and for oats to be used as seed. An immunity is sometimes claimed as at Dunwich, Lafford, Bosworth, and Lutterworth on the sale of small quantities of things required for consumption on the house or farm. At Evesham, it was stated that the bishops of Worcester had first invented a new toll and then increased it to an outrageous extent, besides forbidding traders to use any ellwands, except those issued under the bishop's authority.

The bailiffs of Richmond were charged with having taken a double toll, first, on the sale of a live ox, and afterwards on the sale of the carcase; and the bailiffs of Lincoln are in like manner charged with having doubled the custom levied on market carts coming into the city.

Other complaints were made on the grounds that the persons who were charged were not traders. The jurors of the Hundred of Morton, in Berkshire, presented that the burgesses of Wallingford had not been accustomed to take toll except from merchants, but that they had lately taken it of the men of the country who came to buy corn and other things for their household stores. Other objections were raised not so much to the rate of the toll as to its exaction at improper times and places. Thus, at Lyme Regis it was alleged that tolls were taken on several days besides the proper market day, and similar cases occurred at Salisbury, and at Haylam in Sussex. The borough of Chichester had a right to charge tolls within 60 feet round their walls, but took them in practice up to a distance of half a league.

A great number of the complaints related to the exaction of payments from persons who were toll-free by tenure or charter. Among others we find a complaint that the bailiffs of Henley-on-Thames had persisted in taking toll unjustly of the men of Wallingford contrary to their liberty, "as if they were not afraid of the King's forfeiture of 10%." The citizens of Lincoln complained of similar exactions at Boston Fair; and the men of Grimsby complained that their immunities were not respected at Lincoln. The barons of the Cinque Ports and the tenants in ancient demesne experienced similar difficulties in maintaining their freedom from toll. The King's tenants of Nassington complained that even after a judgment making them free of toll, Earl Warren continued to exact it. In some cases, particular towns were charged with diverting traffic from a rival market; the men of Wilton, for instance, being accused of coercing merchants who were on their way to Salisbury to come into their markets and sell their merchandise there.

As to complaints arising out of the exaction of toll-thorough, there are several instances in the counties of Lincoln and York. The men of the Earl of Lincoln, at Thoresby, were alleged to have exacted heavy tolls from merchants passing from one town to another, and to have enforced them by distraint. Another good example is found in a return from York, in which the bailiffs were accused of levying a charge of 1d. not only on every ox, cow, or horse, offered for sale, but even on such of these animals as were driven through the town. Every sack of grain or salt was alleged to be similarly taxed, and if a cart of wood passed through the streets the best piece of timber was taken from it.

Other matters of complaint recorded in the Hundred Rolls are connected rather with the history of trade and commerce in general than with a special account of fairs and markets. It may, however, be observed that verdicts are recorded in a great number of instances on complaints as to illegal exaction of dues for murage, tronage, and metage, the use of unlawful weights and measures, and the claim of rights of

pre-emption and other oppressive privileges, extracts as to which, so far as they appear to be material to the present inquiry, are included in the Appendix. But in addition to these, the history of Doncaster affords us one good example of the nature of the exactions which were at one time claimed by the feudal lords. The family of De Maulay appear to have had for a long time complete control over the trade of the burgh. The profits and regulation of the annual three days' fair belonged to them, and they even succeeded in imposing a tax on the sale of all victuals by retailers, or "regraters." This appears by a charter of Peter de Maulay, whereby he released to the commonalty of Doncaster, both rich and poor, "the pernicious custom raised from the same town heretofore by my ancestors, which we were wont to receive from all manner of "regratery."

The volume containing the *Placita de Quo Warranto* exhibits a great number of entries, showing what markets and fairs were allowed as having been lawfully claimed by charter or prescription, and what illegal claims and exactions were to be disallowed for the future. Among other entries possessing a special interest, we may notice that in Wiltshire the Bishop of Salisbury claimed a free market at Ramsbury, to be held on Sundays, with a right of taking toll and other profits of a market. The jury find that there was no legal market or toll, and that nothing was sold, except fish and meat on feast days. A similar instance occurred at Crosthwaite, in Cumberland, where it was stated that no market was held; but that the people of the neighbourhood assembled on feast days at the church and sold meat and bread there, without any payment for toll or stallage. A "wake" is mentioned at Emmeseye, in Yorkshire. At Weston, in Derbyshire, and other places, the claim to hold a market under a charter was objected to, on the ground that there was no sufficient concourse of people. At Bedford the burgesses claimed to have a merchant guild, and that no one outside the guild should be permitted to trade. At Derby the merchant guild was forbidden, for the future, to oppress the people under colour of a right of pre-emption. The prior of Dunstable proved a right to have the town market, with all free customs under a charter, providing that "all who come to the market should have free peace in going and coming under a penalty of 10*l*." The Abbot of Keynesham claimed a Thursday market and a fair on St. Oswald's Day at Marshfield, and asserted his right to the franchises of tumbrel, pillory, and assize of bread and ale, by virtue of the grant of the market and fair, and the claim was allowed. Other cases of a right to have a pillory and other means of corporal punishment and to take on market days the assize of bread and beer in right of a market franchise will be found in the Appendix; and in a plea referred to in the *Abbreviatio Placitorum* for 17 Edw. I. the same rule appears to have been followed. But there are other instances showing that these franchises were more generally treated as rights to be established by another title, and as belonging to a court leet rather than to a fair or market.

Under the head of Bakewell in Derbyshire an entry occurs which may be taken as an example of many others in which the judges intervened to regulate the amount of toll which might properly be taken. The claim in that manor was to take as tolls on market days for every horse, ox, or cow sold 1*d*. from the seller, and a like amount from the buyer, and the same for a horse-load of merchandise or for four sheep, the amounts being doubled at fair time. When the market was forfeited into the King's hands for misuser, the owner of the franchise was compelled to reduce the scale of charges on the ground that they were "superfluous and unjust and to the oppression of the people and against the common law." And he agreed to take for the future not more than 1*d*. from the buyer in each of the cases named, either at market or fair.

In several cases the proceedings on *Quo Warranto* contain references to the control of weights and measures. Many claims to keep private standards, such as the gallon, pottle, and quart, are dealt with, sometimes in connexion with markets and fairs, but more often the control of weights and measures is claimed in connexion with a court-leet.

The same volume also contains an account of proceedings taken on *Quo Warranto* in the county of Cardigan in the 18th year of Edward III., showing the way in which markets were at that time conducted in the Welsh towns.

The borough records of Nottingham contain entries dating from the end of the 14th century, which may serve to illustrate the mode in which an ordinary market was regulated at that time, and to supplement the evidence which is afforded by the Hundred Rolls and the proceedings on *Quo Warranto*. The roll of presentments at the Great Tourn for 1395 contains a list of the various offences relating to marketing, which were then commonly charged against the traders of Nottingham. The brewers are charged because they brew against the assize and "sell with cups and dishes." The bakers take too much from the common people for the baking of bread, to wit, 1½*d*. for a bushel, that is 6*d*. for a quarter of a gallon, whereas they only ought to

take 4*d.* for a quarter. The butchers sell meat which has been kept too long and is corrupt. The fishermen keep their fish too long, and are common forestallers of fish. The taverners do not set the assize according to the proclamation of the mayor. Other traders sell garlic, tallow candles, butter, and cheese too dear, against the provisions of the statute, and as common forestallers stand outside in the roads where such things come to be sold. The tanners sell leather not well tanned, and each of them sells leather within his house without the view of the market and without being placed in the market for sale. The innkeepers harbour guests against the assize, and each of them sells within his house hay, provender, and other victuals for men and horses without assize thereof taken, to the deception of the people. The apothecaries sell spice by unlawful weight, not keeping the standard, and they garble old spices with new, against the form of the statute. The presentment as to "brewers who sell with cups and dishes," is explained by later entries as referring to cups and dishes "unsealed," that is to say, not marked with the seal of the town as corresponding to the standard.*

The offence of forestalling was corrected by seizure of the trader's stock: there is, for example, an entry under the date of 1396, in the same records, to the effect that certain persons in the Saturday market before the proper hour bought four quarters of corn to the prejudice of the market folk, and that upon complaint being made the mayor's bailiff went to the house in which the said corn was garnered, and seized it for the use of the town and according to the proclamation, and thereupon the forestallers came to the Common Hall and paid a fine of 1*l.* 8*d.*

Among other collections of records from which information may be derived as to the history of the English markets, we may mention the collection of Inquisitions *ad quod damnum*, extending over the period from the first year of Edward II. to the 38th year of Henry VI., of which a calendar was published by the Record Commissioners in 1803: the special commissions and depositions taken on commission out of the Exchequer, and other Exchequer records, as to which Martin's Index should be consulted: and the Parliamentary Surveys of Crown and Church Lands taken between 1649 and 1653, under an Ordinance of the Commonwealth. Extracts from the Calendar of the Chancery Series of Privy Seal Documents, and from Palmer's Index to the Grants of Markets appearing on the Patent Rolls, Close Rolls, and Gascony Rolls between the first year of King John and the end of the reign of Edward IV., form part of the Appendix, in which will also be found a collection of the extracts relating to markets in the account of London customs preserved in the Liber Albus.

The English market system grew up by means of royal grants of monopolies to individuals; even when the franchise was enjoyed by a corporation its origin was independent in theory of the ordinary municipal privileges; but in Scotland a different system prevailed. The right of market appears there as one of the ordinary privileges of a trading town. Each town received from the Crown in very early times monopolies of buying and selling within a considerable tract of country. Perth, for example, had a privilege of this kind throughout the whole county. The royal burgh of Rutherglen had by a charter, as early as the reign of David I. (A.D. 1124–1153), rights of taking toll and exclusive dealing over the district where Glasgow afterwards rose. In the 12th century, and probably before it, the town of Inverkeithing had exclusive rights of levying toll on all sales "from the water of Leven to the water of Devon," a tract which includes the sites of Kinross, Kinghorn, Kirkcaldy, Dysart, and Burntisland. The monopoly of Edinburgh extended "from Edgebucklin Brae to the water of Almond." Aberdeen and Inverness in the same way were centres of trading districts. The whole valley of the Clyde appears to have been parcelled out among four or five burghs, which were continually encroaching on one another in early times. It seems to have been, in fact, a settled policy as early as the reigns of David I. and William the Lion to concentrate the control of mercantile transactions in the hands of the burgh communities.

Before the time of David (from A.D. 1124) the rise of these communities is obscure; but it is plain that, though he fostered them, he was not in any sense the founder of the leading towns. His charters to Dunfermline and other documents of his reign† show that "The Free Hanse" of the northern burghs (which probably included Aberdeen, Banff, Elgin, Forres, Nairn, and Inverness) was in existence before the year 1124, and the royal burghs of Edinburgh, Stirling, Perth, Haddington, Roxburgh,

* References to this practice will be found at p. 11 *n* and p. 28.

† See the extracts from Scottish charters in the Appendix, and the very complete collections of records relating to the ancient Scottish burghs, published by the "Scottish Burgh Records Society."

and Dunfermline were already organised as municipal bodies with officers of their own.*

The most remarkable proof of the importance and early development of these communities is to be found in the very ancient code styled the "*Leges Burgorum Scotie*." This collection of customs or laws is preserved in a series of MSS., some of them as early as the 12th century, designed for use as legal formularies and text books for professional use. Its description according to the title in the earliest texts is "The Laws and Customs of the Four Burghs, Edinburgh, Roxburgh, Berwick, and Stirling, settled, published, and confirmed by King David." It is evident from the whole tenor of the document that it was not in any way a matter of new enactment, but was the result of an attempt to reduce to writing the customary law administered by the Parliament of the Four Burghs.

It may also be noticed that the code shows by references in the text itself (as for example, caps. 101, 115) that certain matters had been "determined" by an "assize held at Newcastle," meaning apparently that a conference had been held there to clear up disputes as to those parts of the customary law which was common to the Scottish and northern English towns. The government of "The Four Burghs" appears to have been modelled on that of Berwick,† and Berwick itself was intimately connected with Newcastle.‡

We may select the following examples from the provisions of the code relating to trade.§ The ninth chapter provides that, excepting salt and herrings, all merchandise coming in ships must be brought to land to be sold, the object being to preserve the monopoly of the burgh shopkeeper against interference by direct traffic on board ship. A further provision as to the same monopoly is to be found in cap. 16, to the effect that no stranger or "uncouth merchant" might buy wool or hides or any other merchandise outside a burgh on any terms, nor within the burgh, unless it were of a burghess. This was intended to prevent the country population from dealing with strangers otherwise than through the intervention of the middlemen in the towns. The same policy appears in the code of William the Lion, which added a provision that no stranger merchant importing merchandise should be allowed to "cut cloth or sell in pennyworths," but only by wholesale, and then only to the burghers; and directed that "no prelate or churchman, nor any earl, baron, or secular person shall presume to buy wool, skins, hides, or such like merchandise," except from the merchants of the burghs within whose liberty they reside, and that by the King's command "these and all kinds of merchandise shall be presented at the market and market cross of their burghs, and shall there be first offered at the lowest price to the merchants of these burghs, effectuously without fraud."

Provision was made for the holding of the assize of bread and ale by the borough-reeve; and another chapter provided for the payment by every "stallanger" of a toll of $\frac{1}{2}d.$ every market day, "and the mercer that has his booth covered in the market on the market day shall give $\frac{1}{2}d.$ to the borow-greff for custom, and he that has not his booth covered shall pay a farthing."

* The condition of the Scottish trading burghs in the 12th century is illustrated by the charters of David I. The great charter of Holyrood, about A.D. 1143-7, contains a grant to the canons of Edinburgh of 100s. yearly, "de cano meo de Pert," from the first ships which should come to Perth for trade, "and if by chance the ships do not come, then 40s. from my rent of Edinburgh [Edwinesburg], and from Stirling [Striveline] 20s., and from Perth 40s., and one toft in Stirling, and the draught of one net for fishing," &c. This "canum" was an exaction claimed by the King in kind as a provision of food for the royal residence. In another charter, dating from 1129-30, the King mentions Berwick, Roxburgh, Haddington, Edinburgh, Linlithgow, and Stirling as existing towns in which he grants dwelling sites, or "mansurae," to the church, and he also gives "five marks of silver yearly for their clothing from the first ship which shall come to Stirling or to Perth." Another charter shows that the burghage rents, or "mailles," were at first accounted for "as the pennies came in," by the provost.

† When Bishop Robert of St. Andrew's was founding a new burgh at the seat of his bishopric by the license of David I., he obtained the services of Mainard the Fleming, late a burghess of Berwick, to be the *praepositus* of the new town. As to the wealth of Berwick, it is said, that in 1156 a single merchant of that town, by name Cnut, fitted out a fleet of 14 ships of war to rescue his wife from Earl Erlend of the Orkneys; and it is recorded that in the reign of Alexander III. the King's customs at Berwick were farmed for the enormous sum of 2,190*l.* 8*s.* per annum, which was as much as one-fourth of the ordinary farm of the whole customs of England at the same date. Roxburgh was a royal residence and a place of importance as early as the time of the war between Earl David and Stephen. See Robertson's *Early Kings of Scotland*, i., 197, ii., 172.

‡ King John's charter of confirmation to Newcastle in 1216 refers to their privileges as "following the ancient custom of Winchester," which was confirmed by a charter of Henry I., and was adopted as a precedent in many other towns. It may be inferred, therefore, that the customs defined in the "*Leges Quatuor Burgorum*" did not differ essentially from those of many of the English boroughs.

§ The portions of the text which relate to markets and fairs will be found in the Appendix in full, and the whole code is contained in Vol. I. of the publications of the Scottish Burgh Records Society.

The special regulations as to the control of weights and measures, always a main part of the business of a well ordered market, are contained in chapter 48, which provides that "every burghess may have in his house a [bushel] measure to mete out his corn, and an ell-wand, and a stone and pound-weight for weighing [*lapidem et pondus ad ponderandum*]: and all the measures and stones for weighing shall be marked with the seal of the burgh; and whoever is found with a false weight or measure shall be under forfeit," or, as the Scotch text has it, shall pay the full amercement of 8s. Other chapters make provision as to the customs controlling "hucksters," and especially the sellers of fish, as to an annual rent of 4d. from everyone who got the reeve's license to brew, as to those who kept ovens, as to the conduct of the meat trade, as to forestalling and as to the exclusion of working dyers, butchers, and leather-workers from the merchant guild; and one chapter goes so far as to provide that "if any kemstaris (*pectrices*) leave the burgh while there is work to be had and go to upland men, they shall be taken and imprisoned."

A charter granted by Alexander II. to the borough of Aberdeen in the year 1222 affords some valuable information as to the monopolies then belonging to the leading mercantile class, and the scanty benefits which were thought sufficient for the "foreigner" and the ordinary inhabitant. The principal passages of this important record are as follows: "Know all men present and to come that I have granted, &c., to my burgh and to my burgesses of Aberdeen, the rights and privileges that my predecessors granted to the burgh and to the burgesses of Perth, that is to say, to hold their market on Saturday in every week: and I have rightly given my sure protection to all good men who shall come to that market, and I forbid anyone wrongously to inflict injury or annoyance, or inconvenience upon them while coming to market or while returning, on pain of my full forfeiture. I also strictly forbid any stranger merchant to buy or to sell anything within the Sheriffdom of Aberdeen outwith my burgh of Aberdeen, in despite of my protection. But stranger merchants are to bring their merchandise to my burgh of Aberdeen, and there sell the same and receive their money. If, however, any stranger merchant shall, in despite of my protection, be found within the Sheriffdom of Aberdeen buying or selling anything, he is to be apprehended, and kept in custody until I shall have declared my pleasure regarding him. I likewise strictly forbid any stranger merchant to cut his cloth for sale in the market of Aberdeen, save from the day of the Ascension of Our Lord to the Feast of St. Peter ad Vincula, between which terms it is my will that they cut their cloth for sale in the market of Aberdeen, and there buy and sell their cloth and other merchandise, in common with my burgesses in like manner as my proper burgesses; saving my rights. I likewise grant to the same my burgesses of Aberdeen, that they have their merchant guild, the waulkers and weavers being excluded. Wherefore I strictly forbid anyone within the Sheriffdom of Aberdeen to presume to make cloth, dyed or shorn, on pain of my full forfeiture. If, however, any person's dyed or shorn cloth shall be found made in despite of this protection, I command my sheriff to seize the cloth, and to do therewith as was the custom in the time of King David, my great grandfather. I likewise strictly forbid any stranger outwith my burgh of Aberdeen to buy or to sell hides or wool save within my burgh of Aberdeen, without prejudice to the privileges and free usages which before this grant were bestowed on other burghs and burgesses within the bailiwick of Aberdeen."

The general marketing arrangements of the Scottish towns in the 14th century may be conveniently illustrated by a charter of David II., in which he confirmed to all his burgesses the franchise of buying and selling freely everywhere within the limits of their burghs, and forbade any of them to buy or sell within the limits of the franchise of another burgh, except with due license. He also prohibited all persons, including "as well bishops, priors, and persons ecclesiastical, as earls, barons and other secular lords," from buying wool, hides, or other merchandise on any pretence whatever and from selling the same in any way except to the merchants of the burgh within whose limits they resided; and he directed that they should present all their lawful merchandise at the Mercat Cross of the burgh, so that the merchants might buy, and should there effectually proffer it, paying the King's custom. At the same time the King prohibited all stranger-merchants coming with ships and merchandise of any kind, from selling the same in any way except to the merchants of the burgh, on pain of forfeiting the King's protection altogether.

The trading privileges of the Burghs of Barony, which were burghs founded by private lords on their own lands, arose by means of exemptions under the King's authority from the exclusive rights of the royal burghs which had been founded on the

demesnes of the Crown. By means of such exemption they soon obtained the same trading privileges as the other municipalities. Thus William the Lion granted to the Abbot of Kelso market rights in his town, except on the day fixed for market at Roxburgh, the town of Kelso being within the territory allotted to Roxburgh for trading purposes. The largest commercial town in Scotland arose out of a similar licence for the erection of a market town, Glasgow having been before that time nothing more than the seat of a bishopric, a great part of the estates of which, for trading purposes, formed part of the territories of the royal burgh of Rutherglen.*

The development of the system of market rights in Ireland was considerably influenced by the special circumstances of Irish history. The first urban settlements appear to have been made by the Danes, who founded Dublin in the year 840, and in the course of the next century a number of commercial towns grew up under the Danish rule along the Irish coast, including Limerick, Waterford, Wexford, Cork, Carlingford, Strangford, and Larne, besides two subordinate ports at Arklow and Wicklow belonging to the kingdom of Dublin.

Dublin was a place of considerable commercial importance, and enjoyed the benefits of a special trade with Bristol. Some of the other towns, as Waterford and Limerick, were at one time almost independent kingdoms, but we know little of the internal organisation of these communities before the Norman invasion.

The earliest traces of English influence are to be found in a few charters and patents granted by Henry II. and Henry III., and by John, as Lord of Ireland, before as well as after his accession to the English throne, transcripts of which are preserved at the Irish Record Office (in a roll entitled "*Chartae Antiquissimae*") and among the city archives at Dublin. One of the earliest is a charter of Henry II., dated in 1171, granting his city of Dublin to the men of Bristol, to inhabit and hold it, with all the liberties and free customs which they had at Bristol and throughout the realm. Bristol seems to have become a type for the Irish boroughs in the same way as Newcastle was the model for the Scottish municipalities. A charter granted by John, as Lord of Ireland, in 1192 (which will be found with others in the Appendix) shows the character of the liberties then enjoyed by the burgesses of Dublin. The citizens were to be impleaded only in the Hundred-court of the city, and were to be free of toll and passage, and pontage, and all other customs throughout the whole realm of Ireland. The amercements at the Hundred-court included a fine of 2s. 6d. for breach of the assize of bread and ale. No foreign merchant was to buy corn, hides, or wool within the city except of citizens, nor to have a tavern† for sale of wine (except on shipboard and after prisage taken by the King), nor to sell cloth by retail, nor to tarry for sale of goods beyond 40 days. The liberties of Bristol as to guilds and other matters were confirmed to the citizens, and the tenures themselves within the bounds were granted to them in burgage, to dispose of them by the common assent of the community, by service of "landgable," with full liberty to approve and build at their pleasure.

After the introduction of the Norman forms of tenure, the existing letters patent show how the lands and dominions of the Irish chiefs were dealt with by the English law. Grants of markets and fairs in the English form were not uncommon, and at a later period they formed a considerable source of revenue for the Crown.

During the long prevalence of the civil wars, many of the original grants of market and fair must have come to nothing, and we know that even within the Pale the towns were for a long period in a state of decay: but whenever quiet was restored in any part, fresh grants were made by the Crown, and about the 10th year of James I., no less than 40 towns were incorporated with a grant of municipal franchises. The tolls taken in the Irish towns seem to have been heavy and in many cases oppressive, as will appear by a series of entries in the Journals of the Irish House of Commons between 1635 and 1642, extracts from which will be found in the Appendix, where also will be found a docquet of the customs taken at Dublin in 1763.

It has not been thought necessary to deal with the history of fairs and markets in such districts as the Palatinates of Durham and Chester, the Duchies of Lancaster and Cornwall, and the Lordships Marchers on the borders of Wales, the grantees of the jura regalia in such cases having usually adopted the ordinary English forms in dealing with franchises of this kind. In Ireland, as we have seen, the English model was followed. In Scotland the market system was established on a different basis, the

* Other instances of burghs of this class founded by ecclesiastical lords were St. Andrew's, Dunkeld, and Dunblane, founded by bishops; and Arbroath, Jedburgh, and Dunfermline founded by religious houses.

† We learn by another charter of the same reign that the King took a certain "custom" of all beer and mead sold in the taverns at Dublin.

trading privileges being regarded as one of the ordinary incidents of municipal life. The result of the investigation of the charters and records relating to fairs and markets in England is to make it apparent that the law and practice as to these privileges became settled very much in their modern form by means of the inquests and proceedings which commenced as soon as the royal power was firmly established. The later charters show little variation from the ancient methods, though it became usual to define the details with greater precision after the time of Charles II. The modern changes in the system have been in the direction of transferring the control of markets from private individuals to public bodies. Where sufficient market rights were not given in the charters of incorporation, the municipalities have, in a great number of cases, acquired the privilege by Act of Parliament, or by purchase from private owners, and in other cases bodies of commissioners or trustees have been invested with similar rights, but no legislation on the subject of any general importance took place before the present reign.

CHARLES ELTON.
B. F. C. COSTELLOE,
Assistant Commissioner.

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APPENDIX I.

TRANSLATED EXTRACTS FROM THE EARLY ENGLISH LAWS.

LAWS OF INA. (A.D. 688-693).

Cap. 20. If a far-coming man or a stranger journey through a wood out of the highway, and neither shout nor blow his horn, he is to be held for a thief, either to be slain or redeemed.

Cap. 25. "Of the journeying of chapmen up the country."

If a chapman traffic up among the people, let him do it before witnesses. If stolen property be attached with a chapman, and he have not bought it before good witnesses, let him prove according to the *wite* that he was neither privy [to the theft] nor thief, or pay as *wite* 36 shillings.

LAWS OF HLOTHHAERE AND EADRIC. (Circa 673 A.D.)

Cap. 15. If a man entertain a stranger for three nights at his own home, a chapman or any other that has come over the march, and then feed him with his own food, and then he do harm to any man, let the man bring the other to justice or do justice for him.

Cap. 16. If any Kentish man buy a chattel in Lunden Wic, let him then have two or three true men to witness, or the King's wic-reeve. If it be afterwards claimed of the man in Kent, let him then vouch the man who sold it to him to warranty, in the wic at the King's hall, if he know him, and can bring him to the warranty; if he cannot do that, let him prove at the altar, with one of his witnesses or with the King's wic reeve, that he bought the chattel openly in the wic, with his own property, and then let him be paid its worth; but if he cannot prove that by lawful averment, let him give it up, and let the owner take possession of it.

LAWS OF ALFRED (between A.D. 885 and 901).

Cap. 34. "Of Chapmen." It is also directed to Chapmen that they bring up the men whom they take up with them [on an "upland" journey] before the King's reeve at the folc-mote, and let it be stated how many of them there are; and let them take such men with them as they may be able afterwards to present for justice at the folc-mote; and when they have need of more men

up with them on their journey let them always declare it, as often as their need may be, to the King's reeve, in presence of the Gemot.

LAWs OF EDWARD THE ELDER (A.D. 901-924).

Cap. 1. "Of Cheaping." And I will that every man have his warrantor, and that no man buy out of port, but have the portreeve's witness or that of other unlying men [*ungeligenna manna*] whom one may believe.

And if anyone buy out of port, then let him incur the King's *Oferhyrness* [i.e., the fine of 10s. for contempt], and let the warranty nevertheless go forward, until it be known where it shall stop.

Also we have ordained, that he who should vouch to warranty should have unlying witness [*ungeligenes gewitnesse*] to the effect that he rightfully vouched it, or should bring forward an oath which he who made the claim might believe.

LAWs OF EDWARD and GUTHRUM (circa A.D. 906).

Cap. 7. If anyone engage in Sunday marketing let him forfeit the chattel and 12 'ores' among the Danes and 30s. among the English.

LAWs OF ATHELSTAN.

[II.] Witan of Greatanlea (circa A.D. 925).

Cap. 1. First, that no thief be spared who may be taken *hand-hælbende* [with the stolen property in his hands] above 12 years and above 8d., and if anyone do so let him pay for the thief according to his *were*, and let it not be the more settled for the thief, or that he clear himself thereby. But if he will defend himself and flees away then let him not be spared . . . (provisions follow as to release at 120s. on kindred being surety for good behaviour).

Cap. 3. . . . And the lord who is privy to his theow's theft, and it is made manifest against him, let him forfeit the theow and be liable in his *were* for the first time. If he do so oftener, let him be liable in all that he has; and also such of the King's *horderes* [household] or of our reeves as have been privy to the thieves who have stolen, let him be subject to the like.

[II.] Cap. 10. Let no man exchange (*hwyrfe*) any property without the witness of the reeve or of the mass-priest or of the lord of the land, or of the *hordere* or of other unlying man. If anyone do so, let him give 30s., and let the lord take provision of the exchange.

Cap. 12. And we have ordained that no man buy any property out of port over 20 pence; but let him buy therewithin, on the witness of the portreeve or of another unlying man; or further on the witness of the reeves at the folc-mote.

Cap. 13. And we ordain that every burh be repaired 14 days over Rogation Days; and secondly, that every marketing be within port.

Cap. 14. Thirdly, that there be one money over all the King's dominions, and that no man mint except within port, and if the moneyer be guilty, let the hand be struck off with which he wrought that offence, &c.

Cap. 24. And he who buys property with witness and is after obliged to vouch it to warranty, then let him receive the warranty from the person from whom he before had bought. . . .

And that no marketing be on Sundays, but if anyone do so let him forfeit the goods and pay 30s. as *wite*.

[III.] IV. Witan of Thunresfeld.

Cap. 2. First of all that all the dooms which were laid down at Greatanlea be kept, except the buying in port and on the Sunday.

LAWs OF EADMUND (A.D. 940-946).

II. Witan of Culinton.

Cap. 5. Let no one buy or take unknown cattle, unless he has the witness of the chief [shire] reeve or of the [parish] priest, or of the ordeal, or of the portreeve.

LAWs OF EADGAR* (A.D. 959-975).

II. Cap. 8. Let one money pass throughout the king's dominion, and that let no man refuse; and let

* From the Corpus Christi MSS. 383. These laws are attributed to Eadgar on Thorpe's authority.

one measure and one weight pass, such as is observed at London and at Winchester; and let the way of wool go for 120 pence, and let no man sell it cheaper, and if anyone sell it cheaper, either publicly or privately, let each pay 40s. to the King, both him who sells it and him who buys it.

(Suppl.) Cap. 3. That every man be under *borh*, both within the burhs and without the burhs; and let witness be appointed to every burh and to every hundred.

Cap. 4. To every burh let there be chosen 33 as witnesses.

Cap. 5. To small burhs and in every hundred 12, unless ye desire more.

Cap. 6. And let every man with his witnesses buy and sell every of the chattels that he may buy or sell, either in a burh or in a wapentake; and let every of them, when he is first chosen as witness, give the oath that he never, neither for money, nor for love, nor for fear, will deny any of those things of which he was witness, nor declare any other thing in witness save that alone which he saw or heard; and of such sworn men let there be at every bargain two or three as witnesses.

Cap. 7. And he who rides in quest of any cattle, let him declare to his neighbours about what he rides; and when he comes home, let him declare with whose witness he bought the cattle.

Cap. 8. But if he being out on any journey unintentionally make a bargain without having declared it when he rode out, let him declare it when he comes home; and if it be live stock let him, with witness of the township, bring it to the common pasture. If he do not so before five days, let the townsmen declare it to the *ealdor* of the hundred . . . , and let him forfeit the cattle, &c.

Cap. 9. But if it remain above five days undeclared in the common pasture, let him forfeit the cattle and let every of the herdsmen suffer . . . and nevertheless let him declare in whose witness he bought the cattle.

Cap. 10. And if he then declare that he bought it with the witness of those who are named as witness either in burh or hundred, and the *ealdor* of the hundred is informed that it is true, let him nevertheless forfeit the cattle because he would not declare it . . . and let him have no greater harm.

Cap. 11. But if he declare that he bought it with witness and that be false, let him be as a thief and forfeit his head and all that he owns, and let the land-lord hold the stolen cattle . . . till the proprietor is informed of it and with witness claims the cattle for his own.

LAWs OF ATHELRED (A.D. 978-1016).

I. Cap. 3. And let no man either buy or exchange unless he have *borh* and witness; but if anyone do so, let the land-lord take possession of and hold the property till that it be known who rightfully owns it.

IV. *De Institutis Londoniæ.*

1. Ealdredsgate and Cripelesgate were watched by the warders.

2. At Billingsgate, if a small boat came, a halfpenny of toll was given; but if it were a larger one and had sails, then a penny. If a keel or hulk come and lie there, 4d. for toll. If a ship full of timber, one balk for toll.

Toll of bread is taken on three days in the week—Sunday, Tuesday, and Thursday.

When anyone came up to the Bridge with a boat in which is a cargo of fish, the fishmonger gave a halfpenny for toll, or for a larger ship a penny.

Men of Rouen, who came with wine or dried fish, gave a due of 6s. for a great ship, and one measure in twenty of the fish itself.

Merchants of Flanders and of Ponthieu [in Picardy], and of Normandy and of France, had to show their goods and pay full toll.

Men of the Hague and Liege and Nivelles, if they passed through the territory, did scavage and gave toll.

And the subjects of the Emperor, if they came in their own ships, were held worthy of all good laws equally with ourselves; and besides wool and tallow in broken bulk, it was lawful for them to buy on board their own ships three live pigs. And it was not lawful for the portreeves to put upon them any trading fine; and [they had to] pay their own toll, and also at Christmas two white loaves and one brown, and

10 lbs. of pepper, and gloves for five men, and two horse-lanks full of vinegar, and the like at Easter.

Of crates of hens carried on the back, one hen was the toll, and of a crate of eggs, five eggs was the toll, that is, if they were coming to market.

Butter merchants dealing in cheese and butter paid a penny 14 days before Christmas, and another penny seven days after.

3. If the portreeve or townreeve or any other reeve charge a man with holding over his toll, and the man answer that he has not concealed any toll which he by right ought to pay, let him swear to it with six others and be quit.

If he pleads that he has paid the toll, let him find the man he paid it to, and so be quit.

If in this case he cannot find the man he paid, let him render the toll itself and pay 5*l.* to the King.

If he vouches the catchpoll, and says he paid the toll to him, and he deny it, let him uphold his denial by God's judgment, and in no other way.

7. And we have said of chapmen who bring false or light money into any port that they shall avouch [the former owner] if they can; and if they cannot they shall be liable in their *weregild* or in their life, as the King will, or else let them clear themselves by showing that they did not know of any impurity in the money they traded with, and then they shall have for their carelessness this loss, that they shall exchange it with the appointed moneyers for coin of right weight and assay.

And all portreeves who have been consenting to such fraud are to be liable to the same punishment as the false moneyers, unless the King give them grace, &c.

V. Witan of A.D. 1008.

Cap. 13. Let Sunday's festival be rightly kept . . . and let marketings and folk-motes be carefully abstained from on that holy day.

IX. Witan of A.D. 1014.

Cap. 17. And let Sunday marketings be strictly forbidden on peril of the full secular *wite*.

Laws of CANUTE (circa A.D. 1017).

Cap. 23. Let no man be entitled to any vouching to warranty unless he have true witness whence that came to him which is attached with him, &c.

Cap. 24. And let no one buy anything above the value of 4*d.*, either living or lying, unless he have the true witness of four men, be it within a burh, or be it upland [*upp on lands*].

"LAWS OF EDWARD THE CONFESSOR."

Cap. 12. Of the King's peace . . . on the four great roads, Watlingstreet, the Fosse Way, the Iknildstreet, and the Erminstreet. The other roads from city to city, from borough to borough, by which men go to markets and to their other business, are under the law of the county . . .

Cap. 22. Tol, quod nos vocamus "theloneum," scilicet libertatem emendi et vendendi in terra sua.

"LIBERTAS CIVITATUM."*

1. Be it known, that within 3 miles on every side beyond a city, no man ought to stop or hinder another or do marketing with him, if he comes in the city's peace. But when he has reached the city, then let there be for him the common right of market, as well for the poor man as the rich.

"LAWS OF WILLIAM THE CONQUEROR."

III. "Carta R. Willelmi Conquistoris de quibusdam statutis."

Cap. 10. We forbid that any live cattle be bought or sold, except within cities, and then before three faithful witnesses.

Cap. 11. There shall not be, nor be allowed to arise, any market or fair, save in the cities of our realm, and in boroughs enclosed and defended by a wall, and in castles and in very safe places, where the customs of our realm and our common right and the royalties of our crown, as they were constituted by our good predecessors, may not perish nor be defrauded or infringed, but where all may be done rightly and in public, and by judgment and justice.

* From the "Appendix" to the same Laws. Harl. MSS. 746.

II.

EXTRACTS FROM ANGLO-SAXON CHARTERS.

1. Charter of Aethelred, Duke of Mercia and Aethelfaed, to the See of Worcester. (Cod. Dipl. MLXXV.)

† Thaem aelmibtigan Gode, &c. . . . for thaes lufan aet aerestan Aethelred ealdorman and Aethelfaed and for Sancte Petres and thaere cyrcean aet Weogernaceastre and eac for Waerferthes bisceopes bene heora freondes hehtan bewyrcean tha burh aet Weogernaceastre eallum thaem folc to gebeorge and eac thaeron Godes lof to araenne; and heo nu cythath . . . thaet heo willath on aelcum thaera gerihta the to heora hlaforddome gebyrath, oththe on Ceapstowe, oththe on straete, ge binnan byrg ge butan, geunnan healfes Gode and Sancte Petre and thaere cyrcean hlaforde, thaet thy arlicor on thaere stowe beon maege, and eac they eather be summum dacle thaes heoredes helpon, etc. . . . : ond thonne cytheth Aethelred and Aethelfaed thaet he willath, etc. . . . on Aelfredes cyninges gewitnesse and ealra thaera witenas the on Myrena land syndon, butan thaet se [W]aenseilling and se seampending gonge to thaes cyninges handa, swa he ealning dede aet Saltwic. ah elles ge landfeoh, ge fihthewite, ge stale, ge wohceapung, ge burhwealles soeatinge, ge aelc thaera wonessa the to aenigne bote gebyrie, thaet hit age healf thaere cyrcean hlaford, Godes thances and Sancte Petres, swa swa hit mon to Ceapstowe gesette; and on straetum, ond withutan to Ceapstowe seo se bisceop his landes and ealra his gerihta wyrthe, swa hit aer ure forengan gesetton and gefreodan.

And Aethelfaed and Aethelfaed this dydon on Aelfredes cyninges gewitnesse and on Myrena witenas thaera naman her be aetan awritene standath, etc.

(Date not given, but was between A.D. 873 and 899. The original is in B.M., MS. Cott., Vesp. A. v. f. 147 b.)

TRANSLATION.

† To Almighty God, &c. . . . Aethelred the Ealdorman and Aethelfaed, for the love of God and

▲ 55729.

St. Peter and the church of Worcester, and the petition of their friend Werfrith, the bishop there, caused the walled town at Worcester to be built for the protection of their people, and that the praise of God might be maintained therein: therefore now know ye that . . . of all the rights that pertain to their lordship in the said town, whether on the market [Ceapstowe] or on the streets, whether within borough or without, one half is assigned to God and St. Peter and the lord of the church at Worcester for the maintenance of the foundation and the better conduct of God's worship there; and this grant of Aethelred and Aethelfaed . . . is witnessed by Alfred the King and the Witan of the land of Mercia, and there is reserved the wain-shilling and the load-penny which are to go to the hand of the said King, as they have always done at Saltwic; but for all the rest, whether land fee or *fithbit*, or theft fines, or fines for false dealing, or murage, or any other customs from which profits arise, the half of them shall go to the lord of the church aforesaid for the sake of God and St. Peter in like manner as was appointed concerning the market, and in the streets and beyond the market-place the bishop shall retain all his own lands and rights according to the charters and franchises of our predecessors. And Aethelred and Aethelfaed did this with the witness of King Alfred and of the Witan of Mercia, those whose names stand hereafter written, &c."

2. Charter of Edward the Elder to the See of Winchester, A.D. 904. [Cod. Dipl. MLXXXIV.]

† Regnante, &c. Quapropter ego Eadward divina indulgente clementia Anglo-Saxonum Rex . . . in hac cartula demonstrare conor quod ego cum consilio et consensu optimatum meorum, quorum nomina infra scripta sunt, libertatem illius monasterii quod Saxonice Tanton dicitur, cum omnibus ad se pertinentibus uillis, campis, siluis, pascuis, pratis, et piscium capturis . . . Denewulfo episcopo et illi uenerabili familia in

Wentana ciuitate commoranti . . . toto mentis affectu dedi . . . Praedictae etiam uillae mercimonium, quod Anglice *ðæs tūnes cyping* appellatur censusque omnis ciuilis, sanctae Dei aeclesiae in Wintonia ciuitate sine retractionis obstaculo cum omnibus commodis aeternaliter deseruiat."

TRANSLATION.

"**†**Reigning, &c. (with the usual invocation). Wherefore I, Edward, by the indulgence of the Divine clemency King of the Anglo-Saxons, . . . endeavour to testify in this charter that I, with the counsel and assent of my great men whose names are written below, have with my whole mind given the liberty of the monastery which the Saxons call Taunton, together with all townships, fields, woods, pastures, meadows, and fisheries, thereto belonging, &c., to Denewulf the bishop and the reverend fraternity abiding at Winchester . . . Moreover let the town-market, which in English is called 'the town's cheaping,' and all the town-dues, with all profits thereof, be bound to the Church at Winchester without any obstacle for ever."

3. Charter of Edgar to the Church of Peterborough.

[Circa A.D. 960.]

(Peterborough Chartulary, No. 60.)

"Gratia Domini, &c. Ego Eadgar . . . Villam quoque Undale cum toto jure adjacentium, quod Eahta hundred Anglice nominatur, et cum mercato ac theloneo ea prorsus libertate donamus, quatenus nec Rex nec comes nec episcopus, . . . nec ulla unquam major

minorve persona ulla dominatione occupare, nec de ipsa villa Undale, ubi legitime consedere debet, in alium locum transferre ullatenus presumat. Sed tantum Abbas predicti coenobii illud cum suis causis et legibus totum in sua potestate liberrime teneat, et quando vel in quo loco sibi placuerit sine ulla contradictione sedere faciat. Mercatum quoque constituimus in Burh singulare, ut nullum aliud habeatur inter Stanfordiam et Hundedune, et ad illud damus, ibidemque persolui iubemus, totum sine ulla contradictione theloneum, hoc est, primo de tota Witlesmere usque ad theloneum regis quod jacet ad hundred de Normanscros, et de Witlesmere sicut Morelade venit ad aquam Nen et inde sicut aqua currit, etc."

TRANSLATION.

"By the grace of God, &c., I, Edgar, . . . endow also the vill of Oundle with all its rights in the neighbourhood, in English called Eahta Hundred, together with its market and toll, with such a privilege that neither the King, nor the earl or bishop, . . . or any greater or lesser person shall ever seize it into his ownership, nor presume to transfer it to any place whatsoever from the vill of Oundle, where it ought to remain . . . We also constitute a special market in Burgo, so that no other shall be held between Stamford and Huntingdon, and we give to it and order to be paid there the whole of the toll without any contradiction, viz., first, from all parts of Witlesmere as far as the King's toll at Normanscros, and from Witlesmere as Morelade cometh to the water of Nen, and thence as the water flows, &c."

III.

EXTRACTS FROM IMPERIAL CHARTERS RELATING TO MARKETS IN GERMANY.

1. Charter of Otho the Great to the Abbey of Corvey, A.D. 946 [Lunigius, *Spicilegium Ecclesiasticum*, Pt. 3, cap. v., Tit. Corvey, pp. 78 & 79].

"Noverit omnium fidelium nostrorum sagacitas . . . qualiter nos, per interventum dilecti germani nostri Brunonis, et venerabilis abbatis (Corbejenensis) Bononis, ad monasterium SS. Martyrum Stephani atque Viti, quod Corbeja nominatur, bannum super duas villas, Meppium nominatas, sitas juxta fluvium Emisa et Hasa, in pago Agrotingon, in comitatu Thuringi comitis cum moneta et theloneo jure perenni in proprium concessimus mercatum vero constituat publicum in illis ubicunque abbati placuerit locis, pacemque firmissimam teneant aggredientes et regredientes et ibi manentes eodem modo sicuti ab antecessoribus nostris, regibus, jampridem aliis publicis mercatum locis concessum erat."

2. Charter of Otho III. to the Abbey of Quedlinburg, A.D. 993 [ibid. Pt. 3, cap. 7, p. 190].

"Omnium fidelium nostrorum, tam praesentium, quam futurorum, pateat devotioni pia, qualiter nos, dilectae aviae nostrae ob interventum Adelheidis imperatricis augustae, charaeque amitae nostrae Mechtildis monitionem, in metropoli Quedelinburg . . . mercatum erigere decernimus, regalis potentiae magnanimitate pleniter edicimus, videlicet, ut eadem jam praefata amita nostra, sibi que successurae eodem regimine abbatissae, ad usum Deo, sanctoque Servatio ibidem servientium famularum in majori ecclesia, monetis, theloneis, omni in mercatorio jure, quod antecessorum nostrorum, regum scilicet et imperatorum, industria, Coloniae, Moguntiae, Magdeburgo, similibusque nostrae ditionis in locis, antea videbitur esse concessum, quidlibet faciendi, utiliter potiendi, solutam habeant potestatem, &c."

3. Charter of Otho III. to the Bishop of Liege, A.D. 994 [ibid. Pt. 2, cap. 4, p. 490].

"Noverit omnium fidelium . . . industria, qualiter nos, ob amorem Notkeri, venerabilis Leodiensis episcopi, maximeque ob remedium animae nostrae, eidem venerabili episcopo concessimus, ut, in loco Fossis nuncupato, thelonium, mercatumque et monetam,

et materiam cerevisiae constitueret: et hoc proinde nostrae auctoritatis praeceptum ei conscribi jussimus, per quod praecipimus, firmiterque fieri volumus, quatenus in praedicto mercato, moneta, thelonioque et cerevisiae materia, ad aliquem nihil pertingat potestativa manu aliquid agere, nisi episcopo, in praefata sede constituto, ipsiusque advocato: sed, neque eundo, neque redeundo, mercatores ad ipsum locum negotii properantes, thelonii constitutionem contemnere praesumant, &c."

4. Charter of Henry II. to the Archbishop of Bremen, A.D. 1003 [Lindenbrog., *Privilegia Eccl. Hamburg.*, § XVII., p. 135].

"Concedimus insuper praefato archiepiscopo, ejusque successoribus, licentiam construendi mercatum, in loco Bremum nuncupato, bannum et theoloneum, necnon monetam publici ponderis, et puri argenti, totumque quod inde regius reipublicae fiscus obtinere, seu aliquo modo ad nostrum regium jus pertinere poterit, praelibatae conferimus sedi. Quinetiam negotiatores, ejusdem incolae loci, nostrae tuitionis patrocinio condonavimus, praecipientes hoc regiae auctoritatis praecepto quod in omnibus tali patrocinentur tutela, et potiantur jure, quali caeterarum regalium institores urbium per nostrum regnum potiri noscuntur, &c."

Charter of Conrad II. to the Church of Bremen, A.D. 1035 [ibid. § XIX. p. 137].

Becelino, sanctae Bremensis ecclesiae venerabili, nobisque amabili, archiepiscopo, mercatum in eodem loco (Bremae), cum theoloneo, numismatibus, nec non omnibus utilitatibus ad mercatum pertinentibus habere concessimus, ea videlicet lege, ut bis in anno omnes, qui illuc causa mercandi veniant, una vice septem dies ante Pentecostem, secunda vice similiter septem dies ante festivitatem S. Willehadi ibidem corporaliter requiescentis, annualem mercatum illic habeant. Bannum autem nostrum, super omnes eos illic venientes, ut illic eundo et redeundo habeant pacem, facimus; eundemque bannum nostrum predicto archiepiscopo, ob suum fidele servitium, ea ratione concedimus, ut, si in hoc statuto tempore ex illis venientibus aliqua temeritas evenierit, inde justitiam faciendi neque dux neque comes neque aliquis hominum, praeter ipsum et suos successores, licentiam habeant, &c."

IV.

DOMESDAY BOOK.

EXTRACTS.

Chester.
D.B. i.,
282 b.

Civitas de Cestre T. R. E. geldabat pro 50 hidis: Tres hidae et dimidia quae sunt extra civitatem. Hoc est una hida et dimidia ultra pontem et ii hidae in Neutone et Bedecleve et in burgo episcopi. Hae geldabant cum civitate.

T. R. E. erant in ipsa civitate 431 domus geldabiles et preter has habebat episcopus 56 domus geldabiles. Tunc reddebat haec civitas 10½ markas argenti. Duæ partes erant regis et tertia comitis.

Hae leges erant ibi . . .

Si sine licentia regis ad portum civitatis naves venirent vel a portu recederent, de unoquoque homine qui navibus esset xl. solidos habebant rex et comes.

Si vero cum pace et licentia regis venisset, qui in ea erant quiete vendebant que habebant. Sed cum discederet, iiii. denarios de unoquoque Leeth habebant rex et comes.

Si habentibus martrinas pelles juberet prepositus regis ut nulli venderent donec sibi prius ostensas compararent, qui hoc non observabat xl. solidos emendabat.

Vir sive mulier falsam mensuram in civitate faciens deprehensus iiii. solidos emendabat. Similiter malam cervisiam faciens aut in cathedra ponebatur stercoris aut iiii. solidos dabat prepositis.

Hanc forisfacturam accipiebant ministri regis et comitis in civitate, in cujuscumque terra fuisset, sive episcopi sive alterius hominis.

Similiter et theloneum. Si quis illud detinebat ultra tres noctes xl. solidos emendabat.

T. R. E. erant in civitate hac vii. monetarii qui dabant vii. libras regi et comiti extra firmam, quando moneta vertebatur.

Tunc erant xii. iudices civitatis et hi erant de hominibus regis et episcopi et comitis. Horum siquis de hundret remanebat die quo sedebat sine excusatione manifesta, x. solidos emendabat inter regem et comitem.

Hæc civitas tunc reddebat de firma xlv. libras et iiii. timbres pellium martrinium. Tercia pars erat comitis et duæ regis.

i. 283.

Episcopus de Cestre habet in ipsa civitate has consuetudines.

Si quis liber homo facit opera in die feriato, inde Episcopus habet viii. solidos. De servo autem vel ancilla feriatum diem infringente, habet episcopus iiii. solidos.

Mercator superveniens in civitatem et trussellum deferens, si absque licentia ministri episcopi dissolveret cum a nona hora sabbati usque ad diem lunis, aut in alio festo die, inde habet episcopus iiii. solidos de forisfactura. Si homo episcopi invenerit aliquem hominem carricantem infra leuam civitatis, inde habet episcopus de forisfactura iiii. solidos aut. ii. boves.

Lincoln.
i., 336.

In Civitate Lincolia erant T. R. E. novies centum et lxx. mansiones hospitale.

In ipsa civitate erant xii. Lageman: id est habentes sacam et socam: Hardeconut, Suartin filius Griboldi, Ulf filius Suertebrand, qui habuit thol et theim, Walraven, &c.

Tochi filius Outi habuit in civitate 30 mansiones praeter suam Hallam et 2½ aeclesias: et suam Hallam habuit quietam ab omni consuetudine, et super alias 30 mansiones habuit locationem, et praeter hoc de unaquaque unum denarium, id est Land-gable. Super has 30 mansiones habebat Rex theloneum et forisfacturam ut burgenses juraverunt. . . Remigius Episcopus habet i. maneriolum contiguum civitati Lincolie cum saca et soca et cum thol et theim et super iiii. mansiones similiter . . . et super 78 mansiones similiter praeter geldum regis quod dant cum burgensibus.

Stamford.
i., 336 b.

Stanford, Burgum regis, dedit geldum T. R. E. pro xii. hundrez et dimidio, in exercitu et navigio et in danegeld. Ibi fuerunt et sunt vi. custodie: v. in Lincoliescyre et sexta in Hantunescyre, quae est ultra pontem, et tamen ipsa reddebat omnem consuetudinem cum aliis, praeter gablum et theloneum, quod abbas de Burg habebat et habet. . . .

In his custodiis sunt 77 mansiones sochmannorum qui habent terras suas in dominio et qui petant dominos ubi volunt, super quos rex nichil aliud habet nisi emendationem forisfacturae eorum et heriete et theloneum

In Torchesey. T. R. E. fuerunt 213 burgenses. Eadem consuetudines habebant omnes quas et Lincolenses, et tantum plus quod quicumque eorum mansionem in eadem villa habebat, neque intrans neque exiens theloneum dabat nec consuetudinem . . .

Quod si aliquis burgensium alibi vellet abire et domum quae esset in eadem villa vendere, sine scientia et licentia prepositi si vellet posset facere.

Torksey.
D.B. i., 337

In Civitate Cantuaria habuit Rex Edwardus li. burgenses reddentes gablum et alios cccii. super quos habuit sacam et socam et iiii. molendina de xl. solidis. Modo burgenses gablum reddentes sunt xix. De xxxii. aliis qui fuerant, sunt vastati xi. in fossato civitatis. Et Archiepiscopus habet ex eis vii. et abbas S. Augustini alios xiiii. pro excambio castelli . . . theolonium reddit 68 solidos . . .

Canterbury
Kent.
i., 2.

Quidam prepositus Brumannus nomine T. R. E. cepit consuetudines de extraneis mercatoribus in terra S. Trinitatis et S. Augustini. Qui postea T. R. W. ante archiepiscopum Lanfranc et episcopum Baiocensem recognovit se injuste accepisse: et sacramento facto juravit quod ipsae aeclesiae suas consuetudines quietas habuerunt R. E. tempore. Et exinde utroque aeclesiae in sua terra habuerunt consuetudines suas, iudicio baronum regis qui placitum tenuerunt.

In Burgo de Walingeford habuit rex Edwardus viii. virgatas terrae, et in his erant cclxxvi. hagae reddentes xi. libras de gablo et qui ibi manebant faciebant servitium regis cum equis vel per aquam usque ad Blidberiam, &c., et hoc facientibus dabat prepositus mercedem et conrediam non de censu regis sed de suo.

Wallingford, Berks.
i., 56.

Modo sunt in ipso burgo consuetudines omnes ut ante fuerunt. Sed de hagiis sunt xiii. minus. . . et monetarius habet unam quietem quamdiu facit monetam.

Aelmer presbyter et alius Elmer presbyter et Bruman et Eduui, et Edmundus et Willielmus filius Osmundi et Leffet et Lambertus presbyter et Alwold et Godric habent gablum de domibus suis et sanguinem si ibi effunditur, si receptus fuerit homo intus antequam calumnietur a preposito regis, excepto Sabbato propter mercatum quia tunc rex habet forisfacturam: et de adulterio et latrocinio habent ipsi emendam in suis domibus: alie vero forisfacturae sunt regis.

Terra Willielmi de Warene. Burgum de Lewes T. R. E. reddebat vi. libras et iiii. solidos et iiii. obolos de gablo et de theloneo. Ibi rex Edwardus habebat cxxvii. burgenses in dominico. Eorum consuetudo erat:

Lewes,
Sussex
i., 26.

Si rex ad mare custodiendum sine se mittere suos voluisset, de omnibus hominibus, cujuscunque terra fuisset, colligebant xx. solidos, et hos habebant qui in navibus arma custodiebant.

Qui in burgo vendit equum, dat preposito nummum: et qui emit, alium: De bove, obolum: De homine, iiii. denarios quocunque loco emat infra rapum. . .

Cum moneta renovatur, dat xx. solidos unusquisque monetarius.

Balduinus tenet de Rege Ochementone et ibi sedet castellum . . . Ibi 4 burgenses: et mercatum reddit 4 solidos.

Oakhampton,
Devonshire.
i., 106 b.

Trematon. Brismar tenebat T. R. E. et geldabat pro 2 hidis et dimidia. Ibi tamen 5 hidae . . . Ibi habet Comes unum castrum et mercatum reddit 3 solidos.

Trematon,
Cornwall.
i., 123.

Henricus de Ferreres habet castellum de Toteberie. In burgo circa castellum sunt 42 homines de mercato suo tantum viventes et reddunt cum foro 4 libras et 10 solidos.

Tutbury,
Stafford.
i., 248 b.

Ipse Comes [Alanus] tenet Cestrehunt pro 20 hidae &c. Ibi 10 mercatores reddunt 10 solidos de consuetudine.

Cestrehunt,
Herts.
i., 137.

Willielmus Pevrel tenet de Rege Hecham. Ibi sunt 6 hidae. Terra est 12 carucis et dimidia, &c. Ibi est mercatum reddens 20 solidos per annum et molinus de 20 solidis &c.

Higham
Ferrars,
Notts.
i., 226 b.

Melton, Leicester. i., 236 b.	Ipse Goisfridus tenet Medeltone. Ibi sunt 7 hidæ Mercatum reddit 20 solidos et 2 molini 25 solidos.	Hoxanam tenuit Ailmarus episcopus T. R. E. pro manerio 9 carucatas terre. In hoc manerio erat unum mercatum T. R. E. et postquam Willelmus rex advenit, et sedebat in Sabbato: et eadem die qua erat mercatum in manerio episcopi Willelmus Malet fecit alium mercatum in suo castello et ex hoc ita peioratum est mercatum episcopi ut parum valeat, et modo sedet in die Veneris. Mercatum autem de Heia sedet die Sabbati.	Horney, Suffolk. D.B. ii., 379.
Bolingbroke, Lincoln. i., 351.	In Bolinbroc habebat Stori 2 carucatas terras ad geldum . . . Ibi ecclesia et mercatum novum.	Rex W. tenet Favreshant pro 7 solinis, &c. . . . Mercatum de 4 libris et 2 salinae de 3s. 2d. et in Cantuaria civitate 3 hage de 20 denariis ad hoc manerium pertinent.	Faverham, Kent. i., 2 b.
Spalding, Lincoln. B.D. i., 351 b.	In Spallinge habebat Algar comes 9 carucatas terras ad geldum . . . Ibi mercatum 40 solidorum.	Ipse rex tenet in dominio Neteham. Rex E. tenuit. Quot hide sunt ibi non dixerunt. Terra est 52 carucis . . . Mercatum de 8 libris.	Neteham, Hants. i., 38.
Barton, Lincoln. i., 354 b.	In Bertone habebat Ulf Fenisc 13 carucatas terras ad geldum . . . Ibi ecclesia et presbyter et 2 molini 40 solidorum et 1 mercatum et passagium de 4 libris.	Rex tenet in dominio Basingestoches. Regale manerium fuit semper. Nunquam geldum dedit nec hida ibi distributa fuit. Terra est 20 carucis . . . Ibi mercatum de 30 solidis.	Basingstoke, Hants. i., 39.
Berkeley, Gloucester. i., 163.	In Berchelai habuit Edwardus Rex 5 hidæ . . . Ibi unum forum in quo manent 17 homines, et reddunt census in firmā.	Rex tenet Ticefelle. Berewica est pertinens ad Menestoches. Rex Edwardus tenuit. Ibi 2 hidæ sed non geldaverunt. Terra est 15 carucis . . . Mercatum et theloneum 40 solidorum.	Tichfield, Hants. i., 39.
Tewkesbury, Worcester. i., 351.	Apud Teodekesberie sunt modo 13 burgenses redentes 20 solidos per annum. Mercatum quod regina constituit ibi reddit 11 solidos et 8 denarios.	Rex tenet Cocheham in dominio. Rex Edwardus tenuit. . . . Ibi 2 molini de 2ls. 6d., et duæ piscariæ de 13s. 4d. . . . De novo mercato quod ibi est modo, 20 solidi.	Cookham, Berks. i., 56 b.
Eye, Suffolk. ii., 319 b.	Eiam tenuit Edricus 12 carucatas terras T. R. E. . . . Tunc 80 oves, modo 90, et modo 1 mercatum et unus parvus, et in mercato manent 25 burgenses.	Rex tenet Frome. Rex E. tenuit. Nunquam geldavit nec scitur quot hidæ sunt ibi. . . . Ibi 3 molini reddunt 25 solidos et mercatum reddit 46 solidos et 8 denarios.	Frome, Somerset. i., 86 b.
Cirencester, Gloucester. i., 103 b.	In Cirecestre hundredo habuit Rex Edwardus 5 hidæ terras . . . Et de novo foro 20 solidos, quorum habet S. Maria tertium denarium.	Rex tenet Mileburne . . . In hoc manerio sunt 56 burgenses et cum mercato reddentes 60 solidos.	Milborne Port, Somerset. i., 86 b.
Taunton, Somerset. i., 87 b.	Episcopus Wintoniensis tenet Tantone. Stigandus Archiepiscopus tenuit T. R. E. et geldabat pro 54 hidis et 2 virgatis terræ et dimidia . . . Ibi 64 burgenses reddunt 32 solidos. Ibi 3 molini reddunt 100 solidos, 60 denarios minus. Mercatum reddit 50 solidos, et de moneta 50 solidi.	Rex tenet Cruche. Eddeva tenuit T. R. E. et non geldabat, nec scitur quot ibi hidæ habentur . . . Ibi 4 molini reddunt 40s. et mercatum reddit 4 libras.	Crewkerne, Somerset. i., 86 b.
Bodmin, Cornwall. i., 120 b.	Ecclesia S. Petroc tenet Bodmine . . . Ibi habet S. Petroc 68 domus et unum mercatum. Totum valet 25 solidos.	Rex tenet Milvertone. . . . Ibi mercatum reddit 10 solidos. Totum reddit 25 libras ad numerum. Tempore Eddid reginae reddebat 12 libras.	Milverton, Somerset. i., 87.
Sudbury, Suffolk. ii., 286 b.	Sutberie tenuit mater Morchari comitis T. R. E. Modo habet Rex Willelmus in dominio 3 carucatas terræ . . . Ecclesia S. Gregorii de 50 acris libero terræ, teste hundredo, et 25 acrae prati . . . et 1 mercatum, et ibi sunt monetarii.	Rex tenet Bentone. . . . Ibi 4 molini 25 solidorum. De piscariis 20 solidi. De pratis 65 solidi. De mercato 50 solidi.	Bampton, Oxon. i., 154 b.
Newenden, Kent. i., 4.	Ipse Archiepiscopus tenet Newedene . . . Ibi est mercatum de 40 solidis, 5 denarios minus. Silva, &c. Inter totum valebat T. R. E. 100s. Quando recepit 12l. et modo 10l.: et tamen prepositus reddit 18l. 10s.	Lestone dominicum manerium regis pro 47 hidis se defendit, &c. . . . Theloneum de mercato reddit 7 libras.	Leighton Buzzard, Bedford. i., 200.
Bradford Wille, i., 97 b.	Terra ecclesie Sceptesberiensis. Ipsa ecclesia tenet Bradeford. T. R. E. geldabat pro 42 hidis, &c. Ibi duo molini reddunt tres libras. Mercatum reddit 45 solidos.	Loitone dominicum manerium regis pro 30 hidis se defendit. Terra est ad 82 carucas . . . De theloneo et mercato 100 solidi.	Luton, Bedford. i., 200.
Ilminster, Somerset. i., 91.	Terra ecclesie de Micelenie. Ipsa ecclesia tenet Illeminstre. Liwardus abbas tenuit T. R. E. et geldabat pro 20 hidis, &c. . . . Ibi mercatum reddit 22 solidos.	Rex tenet Sudtone. Ibi sunt 3 hidæ . . . Ibi molinum de 10 solidis et 8 denariis. De pratis 20 solidi. De foro, 20 solidi.	King's Sutton, Northampton. i., 319 b.
Matele, Cornwall. i., 120 b.	Terra episcopi de Excestrie. Idem episcopus tenet Matele. . . . Forum hujus manerii habet comes Moritonie quod episcopus habebat T. R. E.	Terra comitis Moritonienensis. Ipse comes tenet Liscarret. . . . Ibi mercatum reddit 4 solidos et molinum reddit 12 solidos.	Liskeard, Cornwall. i., 121 b.
St. German, Cornwall. i., 120 b.	Idem episcopus tenet manerium quod vocatur aeclesia S. Germani. Ibi sunt 24 hide. . . . In hoc manerio est mercatum in die Dominico, sed ad nichilum redigitur pro mercato comitis Moritonie quod ibi est proximum.	Brictric filius Algar tenuit Turneberie. . . . Ibi 2 molini de 6s. 4d. . . . Ibi forum de 20s.	Thornbury, Gloucester. i., 163 b.
Launceston, Cornwall. i., 120 b.	Canonici S. Stephani tenent Lanscavetone . . . De hoc manerio abstulit comes Moritonie unum mercatum quod ibi T. R. E. jacebat et valet 20 solidos.	Hæ terræ pertinent ad canonicos de Hereford. In Etune sunt 5 hide. . . . Valet 4 libras. Hoc manerium tenuit Heraldus comes et Willelmus comes dedit Walterio episcopo pro terra in qua mercatum est modo &c.	Eton, Hereford. i., 181 b.
Louth, Lincoln. i., 346.	Terra episcopi Lincolniensis. In Ludes habebat episcopus Lincolie 12 carucatas terras ad geldum. Terra ad 12 carucas. Ibi habet modo episcopus in dominio 3 carucas et quatuor viginti burgenses et 1 mercatum de 29 solidis, et 40 sochmannos et 2 villanos.	In Alriceseie tenet Burnardus 5½ hidæ et 2 partes unius hide . . . Mercatum est ibi de 10s.	Arlsey, Bedford. i., 212.
Melcham, Norfolk. ii., 136 b.	Meleham tenuit Stigandus T. R. E. 10 carucatas terræ . . . Huic manerio semper jacet berwita Licham 4 carucate terre . . . Jacet etiam alia berwita Dumham, 4 carucate terre . . . In hac berewita semper dimidium mercatum. Totum hoc valebat T. R. E. 30l., modo 40l.	Lecham tenuit Turchetel liber homo T. R. E. 3 carucatas terræ pro manerio. . . . Huic manerio jacet dimidia carucata terræ. Semper 2 bordarii et quarta pars unius mercati.	Lycham, Norfolk. ii., 207 b.
Becles, Suffolk. ii., 369 b.	Becles tenuit Sanctus Edmundus T. R. E. 2 carucatas terre pro manerio. Semper 2 villani &c. . . . et unum mercatum et 26 burgenses, et Abbas habet tres partes de mercato et rex quartam.	Caramhallam tenet Roger Bigot in dominio, quam tenuit Normannus T. R. E. 4 carucatas terræ. . . . In illo manerio, quod tenebat Normannus, sunt 35 liberi homines potentes vendere et dare terras suas: quos tenet Rogerus in dominio cum saca et soca, et omni consuetudine: et habent 3 carucatas terre. Semper 12 carucæ et 1 acra prati, et modo unum mercatum de dono regis.	Caramhall, Suffolk. ii., 380 b.

Clare,
Suffolk.
D.B. ii., 390b.

Claram tenuit Aluricus pro manerio 24 carucatas terre T. R. E. . . . Tunc 36 caruce hominum. post 30, modo 24 . . . Semper 1 molinum . . . Semper unum mercatum : modo 43 burgenses.

Aspale,
Suffolk.
ii., 418.

Terra Radulfi Pevrelli.
In Aspella 16 acre de dominio . . . In eadem tertia pars ecclesie et tertia pars feriae.

Haverill,
Suffolk.
ii., 428.

Haverhellam tenuit Clareboldus T. R. E. pro manerio duas carucatas terrae et dimidiam . . . Tercia pars mercati in eo . . . Manerium valet 40s. et mercatum 13s. 4d.

Partney,
Lincoln.
i., 353.

Soca in Partene. Soca 5 carucatarum terrae ad geldum . . . Ibi habet Gislebertus 17 sochmannos et 27 bordarios . . . Ibi est mercatum 10 solidorum et 100 acrae prati.

Chircheton,
Lincoln.
i., 338 b.

In Tedulbi et Derbi et Burtone habet rex 6 toftas et dimidiam. Mercatum ad Chirchetone pertinet.

Soca in Trichingeham 1 carucata terre ad geldum . . . Ibi est forum reddens 40 solidos et 11 sochmanni et 8 bordarii.

Treckin
ham,
Lincoln
i., 356.

Clamores que sunt in Sudtreding Lincolie et concordia eorum per homines qui juraverunt.

Lincoln
Claims.
i., 375 b.

In Salfuet et in mare et in Suine est novum theloneum assuefactum et accepit illud Anserus, &c. et hoc dicit Ludes wapentac et totum Sudtreding quod hoc theloneum non fuit T. R. E. . . .

In Salfuet accipit Hugo serviens consuetudinem navium quae ibi veniunt gratis et ingratias : que non fuerant ibi T. R. E. et hoc inceptum noviter : et hoc dicunt homines de Treding, quod viderunt inde clamorem fieri.

Clamores in Norttreding.

In Bertune et in Ferebi accipiunt homines Gisleberti de Gand theloneum aliud quam acceperunt T. R. E. de pane, piscibus, coriis, et aliis rebus plurimis, unde nunquam datum fuit.

In Castre faciunt similiter homines regis.

V.

DOMESDAY BOOK.

TRANSLATIONS OF EXTRACTS.

Chester.

The City of Chester was geldable in the time of King Edward for 50 hides. There are three hides and a half outside the City, to wit, one hide and a half beyond the Bridge and two hides in Newton and Redclive and in the Bishop's borough. These hides were geldable with the City.

In the City itself there were in the time of King Edward 431 houses paying geld, and besides these the Bishop had 56 houses paying geld. At that time the City rendered 10½ marks of silver: two parts were the King's, and the third part the Earl's.

There were there the following Laws:

If any ships came to the port of the City or sailed from the port without the licence of the King, then for every man who was on such ships the King and the Earl had 40s.

But if a ship came with the King's peace and licence, those who were in her sold what they had quit [of exaction]; but when she left the port the King and Earl had 4d. for every list [of her cargo].

If the King's Portreeve ordered shipmen, having marten skins, not to sell to anyone until they had first offered them to him: everyone disobeying made amends in 40s.

A man or woman making false measure in the City, being caught, made amends in 4s.

Likewise, any making bad beer either sat in the cucking stool or paid 4s. to the Reeves.

The amends for this offence were received by the King's and Earl's Reeves for all places within the City, whoever was the owner of the land, whether it were the Bishop or any other.

And in like manner the toll also: and if anyone withheld toll beyond three nights he made amends in 40s.

In the time of King Edward there were in this City seven moneyers who paid to the King and Earl 7l. beyond their farm at any change of the coinage.

At that time there were 12 Judges for the City, and these were taken from the men of the King, the men of the Bishop, and the men of the Earl. If any one of these being of the Hundred [Court] absented himself on the day on which it sat without a manifest excuse he paid 10s., divided between the King and Earl . . .

At that time this City rendered, by way of ferm, 45l. and three bales of marten skins; whereof one-third part was the Earl's and two-thirds the King's . . .

The Bishop of Chester has in the City itself the customs following:—

If a free man does any work on a holiday, the Bishop has therefor 8s.; but of a slave or handmaiden breaking holiday, the Bishop has 4s.

If a chapman arrives in the City bringing a load, if without licence of the Bishop's Reeve he unloads it between Saturday at noon and Monday, or on any

holy day, then the Bishop has for this forfeiture 4s.; or if the Bishop's man finds anyone [on such a day] carting within the precinct of the City, then the Bishop has for the forfeiture 4s. or two oxen.

In the City of Lincoln there were, in the time of King Edward, 970 inhabited tenements. Lincoln.

In the city itself there were 12 Lawmen, that is to say, men who had sac and soc:—Hardecnut, Suartin, the son of Gribald; Ulf, the son of Suertebrand, who had toll and team; Walraven, &c.

Tochi, the son of Outi, had in the city 30 tenements, besides his Hall and two Churches and a half, and his Hall he had free of all custom, and over the other 30 houses he had a right of letting them, and besides this he had of each one a penny, that is the land-gavel. Over these 30 tenements the King had toll and forfeiture as the burgesses have sworn . . .

Bishop Remy has a little manor adjacent to the City of Lincoln, with sac and soc, and with tol and team, and the like rights over three tenements . . . and . . . over 78 tenements the like rights saving the geld of the King which the tenants pay along with the burgesses.

Stamford, a Royal Borough, paid geld in the time of King Edward for twelve hundreds and a half to the army and navy and for Danegeld. There were and are there six wards, five in Lincolnshire and a sixth in Northamptonshire, which is beyond the bridge; nevertheless it rendered all custom along with the others, excepting the land-gavel and toll therein, which the abbot of Peterborough had and has now . . .

Stamford.

In these wards there are 77 tenements of socmen, who hold their lands in demesne and find themselves lords where they will, and of whom the King has nothing but their forfeitures and heriot and toll.

In Torksey in the time of King Edward there were 213 burgesses; they had all the same customs which the men of Lincoln had, and this much more that each of them who had a tenement in the same town gave neither toll nor custom on going in or coming out . . .

Torksey.

And if any of the burgesses wished to go elsewhere and to sell the house which he had in the same town he could do it if he chose without the knowledge and licence of the Portreeve.

In the city of Canterbury King Edward had 51 burgesses who rendered land-gavel, and 212 more over whom he had sac and soc, and three mills worth 40s. Now the burgesses paying gavel are only 19. Of the 32 others, 11 were destroyed in making the city moat; and the Archbishop has seven and the Abbot of S. Augustine 13 more, in exchange for [their land taken for] the castle. . . . The toll is worth 68s. . . .

Canterbury.

A certain portreeve, Bruman by name, took in the time of King Edward the customs of stranger chapmen on the land of the churches of the Holy Trinity and S. Augustine. But he afterwards acknowledged, in the time of King William, before Archbishop Lanfranc and the Bishop of Bayeux, that he had received these

customs wrongfully, and he made oath and swore that the said churches had their customs to themselves in King Edward's time. And thenceforth both the said churches have had their customs within their land, by a judgment of the Barons of the King who held a plea thereof.

Wallingford.

In the borough of Wallingford King Edward had eight virgates of land, and in these there were 276 houses rendering 11*l.* of land-gavel, and the residents there did the King's service on horseback or by water as far as Blidbery, &c. . . . and while they were doing this the Portreeve had to give them their wage and corody, not out of the King's moneys but out of his own.

Now there are in the borough itself all the customs as they were before, but of the houses there are 13 less . . . and the moneyer has one house quit of all custom so long as he is coming.

Almer the priest, and another Elmer the priest, and Bruman, and Edwi, and Edmund, and William Fitz-Osmund, and Lefet, and Lambert the Priest, and Alwold, and Godric, all have the land-gavel of their houses, and the fine of blood if it be shed there, provided that the man has been received within the house before he is charged by the King's Reeve; excepting always upon Saturdays by reason of the markets, because on that day the King has the forfeiture, and for adultery and for theft the men aforesaid have all fines within their tenements, but all other forfeitures belong to the King.

Lewes.

The land of William de Warene.
The borough of Lewes in the time of King Edward rendered 6*l.* 4*s.* 1*½d.* of land-gavel and of toll.

King Edward had there 127 burgesses in his demesne, and their custom was as follows:—

If the King should send his men to guard the sea, without [requiring] them, they collected of all the men of the town, to whomsoever the land belonged, 20*s.*; and they found men to keep the armaments in the King's ships.

Whoever in the borough sells a horse pays the Portreeve a penny, and the buyer another penny.

So for an ox, a halfpenny [each].

For a man, 4*d.* [each], if he is bought in any place within the Rape . . .

At every change of the coinage, each moneyer pays 20*s.*

Oakhampton.

Baldwin [the sheriff] holds of the King Oakhampton, and that is the seat of his castle.

There are there 4 burgesses; and a market rendering 4*s.*

Trematon.

Brismer held in the time of King Edward and paid geld for 2½ hides, yet there are 5 hides, &c.

The Earl of Moretain has there a castle, and the market renders 3*s.*

Tutbury.

Henry de Ferrars holds the castle of Tutbury. In the borough about the castle are 42 men who live only by their merchandise, and they render, including the market dues, 4*l.* 10*s.*

Cheshunt.

The Earl [Alan] himself holds Cheshunt for 20 hides.

Ten chapmen there render 10*s.* of custom.

Hecham.

William Peveral holds Hecham of the King. There are there 6 hides, and land for 12½ plough-teams. . . . There is a market there rendering 20*s.* yearly, and a mill of 20*s.*, and 10 acres of meadow, &c.

Melton.

Goisfrid himself holds Melton.

There are 7 hides, &c. The market renders 20*s.* and 2 mills 25*s.*

Bolingbroke.

*In Bolingbroke, Stori had 2 carucates of land geldable, &c. . . . There is a church there and a new market.

Spalding.

In Spalding Earl Algar had 9 carucates of land geldable.

There is a market there worth 40*s.*

Burton.

In Bertone Ulf Fenisc had 13 carucates of land geldable, &c.

There are a church and priest there, and 2 mills of 40*s.* and a market and ferry worth 4*l.*

Berkeley.

In Berkeley King Edward had 5 hides, &c.

There is a market-place there, in which 17 men reside and render certain rents included in the ferm.

At Tewkesbury there are now 13 burgesses, rendering 20*s.* yearly. The market which the Queen erected there renders 11*s.* 8*d.* Tewkesbury.

Eye was held by Edric in King Edward's time as Eye. 12 carucates of land, &c.

Then there were 80 sheep, now 90, and now there is a market and a park, and in the market reside 25 burgesses.

In the hundred of Cirencester King Edward had Cirencester. 5 hides of land . . .

There are in demesne there 5 plough-teams, and 31 villeins with 10 plough-teams, &c.

And from the new market there are 20*s.* of which the church of St. Mary has the third penny.

The Bishop of Winchester holds Taunton. Arch- Taunton. bishop Stigand held it in King Edward's time and paid geld for 54 hides and 2½ virgates. . . . There are 64 burgesses who render 32*s.* Three mills there render 100*s.* less 60*d.* The market renders 50*s.*, and from the mint there is 50*s.*

The church of S. Petroc holds Bodmin. . . . Bodmin. S. Petroc has there 68 houses and a market. The whole is worth 25*s.*

Earl Morcar's mother held Sudbury in the time Sudbury. of King Edward. Now King William has in his demesne 3 carucates of land.

The church of S. Gregory [is rated at] 50 acres of freehold land by the testimony of the hundredors, and there are 25 acres of meadow . . . and one market, and there are moneyers there.

The Archbishop [of Canterbury] holds Newedone. Newenden. . . . There is a market worth 40*s.*, less 5*d.* There is a wood, &c. In the whole it was worth in King Edward's time 100*s.*, and when the Archbishop got it 12*l.*, and now 10*l.*, yet the reeve pays 18*l.* 10*s.*

The Church of Shaftesbury holds Bradford. In Bradford-on-Avon. King Edward's time it paid geld for 42 hides. . . . Two mills there render 3*l.* The market returns 45*s.*

The church of Michelney holds Ilminster. Abbot Ilminster. Liward held it in the time of King Edward and paid geld for 20 hides. . . . The market there renders 20*s.*

The Bishop of Exeter holds Matele. . . . Matele. The market of this manor, which the Bishop had in King Edward's time, is now held by the Earl of Moretain.

The same bishop holds the manor which is called the Church of St. Germain's. There are there 24 hides, &c. St. Germain's.

In this manor there is a Sunday market, but it is reduced to nothing because of the market of the Earl of Moretain, which is set up close to it.

The Canons of St. Stephen hold Launceston, &c. Launceston. From this manor the Earl of Moretain took away a market which was established there in King Edward's time, and it is worth 20*s.*

In Louth the Bishop of Lincoln held 12 plough-lands geldable. There is land for 12 plough-teams. The Louth. bishop has there in his demesne 3 teams, and fourscore burgesses and a market bringing in 29*s.*, and 40 soomen and two villeins . . .

At Melcham, Archbishop Stigand had in King Melcham. Edward's time 10 carucates of land, &c.

To this manor always belongs the hamlet of Licham, with 4 carucates of land, &c. . . . Another hamlet, Downham, belongs to it also, being 4 carucates of land. . . . In this hamlet there has always been half of a market . . .

The whole manor was in King Edward's time worth 30*l.*, and is now worth 40*l.*

At Beccles the Abbey of Bury St. Edmunds, held in Beccles. King Edward's time two plough-lands as a manor. There have always been two villeins, &c., and a market and 26 burgesses, and the abbot has three parts of the market and the King the fourth part.

The lands of William, Bishop of Thetford. . . . Hornsey.

At Hoxney, Bishop Ailmar held in King Edward's time nine plough-lands as a manor . . .

In this manor there was, in King Edward's time, and after King William came to England, a market which

was held on Saturday; and William Malet created another market on the same day in his castle [of Eye], and by reason thereof the bishop's market is so deteriorated that it is little worth; and it is now held on Fridays, and the market of Eye is held on Saturday

Faversham.	King William holds Faversham, taxed at 7 sulings. . . A market worth 4 <i>l.</i> , and 2 salt pans bringing 3 <i>s.</i> 2 <i>d.</i> , and three houses in the city of Canterbury rated at 20 <i>s.</i> , pertain to this manor.
Netcham.	The King himself holds in his demesne Netcham: K. Edward also held it. How many hides there are the inquest did not say. There is land for 52 plough-teams. . . . There is a market worth 8 <i>l.</i>
Basing-stoke.	The King holds in his demesne Basingstoke. It has always been a royal manor. It has never paid geld, nor been assessed by hides. There is land for 20 plough-teams . . . There is a market there worth 30 <i>s.</i>
Titchfield.	The King holds Titchfield, which is a hamlet per- taining to Meanestoke. King Edward held it. There are there 2 hides, but they have never paid geld. There is land for 15 plough teams. . . . A market and toll bring in 40 <i>s.</i>
Cookham.	The King holds Cookham in demesne. King Edward held it. . . . There are 2 mills bringing in 21 <i>s.</i> 6 <i>d.</i> , and 2 fisheries worth 13 <i>s.</i> 4 <i>d.</i> . . . From the new market which is there now the King has 20 <i>s.</i>
Frome.	The King holds Frome. King Edward held it. It never paid geld, nor is it known how many hides there are there. . . . 3 mills there return 25 <i>s.</i> and the market returns 46 <i>s.</i> 8 <i>d.</i>
Milborne Port.	The King holds Milborne. . . In this manor are 56 burgesses who with their market render 60 <i>s.</i>
Crewkerne.	The King holds Crewkerne. Edevea held it in the time of King Edward; and it did not pay geld nor is it known how many hides there are. . . . Four mills there return 40 <i>s.</i> and the market returns 4 <i>l.</i>
Milverton.	The King holds Milverton. . . The market there returns 10 <i>s.</i> The whole manor returns 25 <i>l.</i> by tale. In the time of Queen Edith it used to return 12 <i>l.</i>
Bampton.	The King holds Bampton . . . There are there 4 mills worth 25 <i>s.</i> From the fisheries there 20 <i>s.</i> From the meadows 65 <i>s.</i> From the market 50 <i>s.</i>
Leighton Bassard.	Leighton is a demesne manor of the King and answers now for 47 hides, &c. The toll of the market returns 7 <i>l.</i>
Luton.	Luton is a demesne manor of the King assessed at 30 hides . . . There is land for 82 plough teams. . . . Of the toll of the market, 100 <i>s.</i>
King's Sutton.	The King holds Sutton. There are there 3 hides . . . There is a mill of 10 <i>s.</i> 8 <i>d.</i> From the meadows, 20 <i>s.</i> From the market, 20 <i>s.</i>
Liskeard.	The Earl of Moretain holds Liskeard. . . . The market there returns 4 <i>s.</i> , and the mill returns 12 <i>s.</i>
Thornbury.	Brietric, the son of Algar, held Thornbury. . . . There are two mills worth 6 <i>s.</i> 4 <i>d.</i> . . . There is a market there worth 20 <i>s.</i> The following lands belong to the Canons of Here- ford:—
Eton.	In Eton are five hides . . . The whole is worth 4 <i>l.</i>

This manor was held by Earl Harold, and Earl William granted it to Bishop Walter for the land in which the market place now is, &c.

In Arlsey Bernard holds 5½ hides and two thirds of a hide. Arlsey.

There is there a market of 10*s.*

Lycham was held as a manor in King Edward's time by Turchetil, a free man, as three ploughlands. Lycham.

To this manor pertains half a carucate of land, in which there have always been two cottiers and a quarter of a market.

Roger Bigot holds Caramhall in demesne. Norman held it as four carucates in King Edward's time. Caramhall.

In the said manor which Norman held, there are now 35 free men who are able to sell or grant their lands: Roger has these in his demesne with sac and soc and all their customs; and they have three ploughlands. They have always had 12 teams, and there is an acre of meadow, and there is now a market by grant of the King.

In Clare, Alurio held 24 ploughlands in King Edward's time as a manor. . . . Then there were 36 teams of the tenants, afterwards 30, now 24. Clare.

There was always a mill. . . . There has always been a market: now there are 43 burgesses.

The land of Ralph Peverel.

In Aspale he has 16 acres in his demesne. . . . In the same vill he has the third part of a church and the third part of a fair. Aspale.

In Haverill Clarebold held in King Edward's time 2½ carucates as a manor. . . . There belongs to it the third part of a market. . . . The manor is worth 40*s.* and the market 13*s.* 4*d.* Haverill.

Soke in Partney. There is the soke of 5 ploughlands goldable . . . Gislebert has there 17 sokemen and 27 cottiers . . . There is a market there worth 10*s.* and 100 acres of meadow. Partney.

In Tedulby and Derby and Barton the King holds six tofts and a half. The markets pertain to Chircheton. Chircheton.

The sokeland in Treckingham is 1 ploughland goldable . . . There is a market there rendering 40*s.* and 11 sokemen and 8 cottiers. Treckingham.

The claims in the South Riding of Lincolnshire, and the verdicts thereon presented by the jurors. Lincolnshire claims.

In Saltfleet and in the sea, and in Swine, a new toll has been brought into use, and Ansgar, &c., have taken the same; and the jury of Louth Wapentake and of the whole South Riding say that this toll was not in existence in the time of King Edward.

In Saltfleet, a servant named Hugh receives the custom of all ships that come there, willing or unwilling. And these tolls were not there in the time of King Edward; and they have recently begun this, and the men of the Trithing say this because they know that complaint is made thereof.

The claims in the North Riding.

In Barton and Ferraby the men of Gislebert de Gand take tolls other than those they had in King Edward's time, to wit, of bread, and fish, and hides, and many other things of which toll was never given.

In Caistor the King's servants do the like.

VI.

EXTRACTS from the RECORDS of the BOROUGH of NOTTINGHAM. (Translated).

CHARTER of KING HENRY II. [1155-1165,]

Henry, King of England, and Duke of Normandy and Aquitaine, and Earl of Anjou, to his archbishops, . . . sheriffs, ministers, and all his faithful subjects, French and English, of all England, greeting. Know ye that I have granted, and by this my charter have confirmed, to the burgesses of Nottingham all those free customs

which they had in the time of King Henry my grand- father; to wit, tol and theam, and infangenetheof and thelonea, from Thrumpton to Newark, and of all things crossing the Trent, as fully as in the borough of Nottingham; and on the other side, from the brook beyond Rempston to the water of Retford in the north. Moreover, the men of Nottinghamshire and Derbyshire ought to come to the borough of Nottingham on Friday and Saturday, with their wains and packhorses; nor ought anyone within a radius of ten leucas of Notting- ham to work dyed cloth, except in the borough of Nottingham. And if anyone, whencesoever he may be, shall dwell in the borough of Nottingham a year and a day, in time of peace, without claim, no one

afterwards except the king shall have any right in him. And whosoever of the burgesses shall buy the land of his neighbour, and shall possess it for a whole year and a day, without claim on the part of the kindred of the vendor, if they be in England, he shall afterwards quietly possess it; nor shall it be answered to the reeve of the borough of Nottingham claiming any burgess, unless another shall be the plaintiff in the case. And whosoever shall dwell in the borough, of whatsoever fee he may be, he ought to pay tallages together with the burgesses, and make up the defaults of the borough. Also all who come to the market of Nottingham from the eve of Friday to the eve of Saturday shall not be distrained except for the King's ferm. And the passage of the Trent ought to be free to navigators as far as one perch extends on either side of the mid-stream. Wherefore I will and firmly enjoin that the aforesaid burgesses shall have and hold the said customs in good manner and in peace, and freely and quietly, and honourably, and fully and wholly, as they had in the time of King Henry my grandfather. Witnesses: Richard de Humet, Constable; William de Braosio; William de Caisneto; William de Lauvallei; Ranulf, sheriff of Nottingham. At York.

CHARTER OF JOHN, EARL OF MORTAIN, confirming
the CHARTER of his FATHER, KING HENRY II.

[Circa 1189.]

John, Earl of Mortain, to all his men and friends, French and English, present and to come, greeting. Know ye that I have granted, and by this present charter have confirmed, to my burgesses of Nottingham all those free customs which they had in the time of King Henry my great-grandfather, and in the time of King Henry my father, as the charter of the same Henry my father witnesses; to wit, tol and theam, and infangenetheof and thelonea, from Thrumpton to Newark, and of everything crossing the Trent, as fully as in the borough of Nottingham; and on the other side, from the brook beyond Rempston to the water of Retford in the north, &c. . . . And the passage of the Trent ought to be free to navigators as far as one perch extends on either side of the mid-stream.

Moreover, I have also granted, of my own gift, and by this my charter have confirmed, to the same my free burgesses a merchants' gild, with all the liberties and free customs which should belong or usually do belong to a merchants' gild. And that they shall be quit of toll [*thelonea*] throughout the whole of my land, within and without fairs. And they may make, at the end of the year, whom they will from amongst themselves to be their reeve, who shall answer on their behalf for my ferm; provided that if the reeve shall displease me, I shall remove him at my will, and they shall substitute another at my pleasure. Also I have granted to the same burgesses that whosoever shall be constituted reeve of the same borough shall pay the ferm of the same borough to my demesne exchequer, wherever it may be in England, at two terms, to wit, a moiety at the close of Easter, and a moiety in the octave of Saint Michael. Wherefore I will and firmly enjoin that the aforesaid burgesses shall have and hold the aforesaid customs well and in peace, freely and quietly, honourably and peacefully, fully and wholly, as they had them in the time of King Henry my great-grandfather, and in the time of King Henry my father, with the aforesaid augmentations which I have granted them. And I forbid that anyone presume to vex the said burgesses in aught against this my charter, upon pain of 10 marks to be forfeited to me. These being witnesses: Hugh, Bishop of Coventry; Adam, Abbot of Welbeck . . . Serlo the clerk, and many others.

LETTING of the TOLLS of the BURGESSES of NOTTINGHAM
to the BURGESSES of RETFORD.

[1225, November 17.]

To all men seeing or hearing these letters, the burgesses of Nottingham, greeting. Know ye all of you that we, with common assent and unanimous will, have demised, granted, and by this our present charter have confirmed, to the burgesses of Retford our toll, belonging to the borough of Nottingham, from the bridge of Kelum and as far as the Doverbec where it falls into the Trent, and from Epreston and Mireild Bridge, and from Retford, and from all other places towards the north where we took toll on the day on which this agreement was made between us and the aforesaid burgesses of Retford, to wit, on Monday next before

the feast of St. Edmund, in the tenth year of the reign of King Henry, the son of King John; saving the liberties of all those throughout the liberties who are quit of toll in Nottingham, and saving all coming with merchandise to Nottingham and returning with merchandise from Nottingham; to have and to hold at ferm to the aforesaid burgesses of Retford, and their successors, of us and our successors for ever; rendering therefor to us and our successors annually, in time of peace and war, any cause notwithstanding, twenty marks of silver at two terms of the year, to wit, ten marks on Palm Sunday and ten marks at the feast of the Nativity of Saint Mary, and one dinner each year, to us and to our successors, according to our custom, on the day of paying, within fifteen days after the feast of St. Martin. We promise and grant that if we, or our successors, should desire to go against this charter, we will give forty marks of silver to the aforesaid burgesses of Retford, by way of a penalty, and for greater security we have strengthened the present writing with our common seal of the borough. These being witnesses: Sir Roger, Prior of Lenton . . . Thomas de Saint Quintin, and others.

FIRST CHARTER of KING HENRY III.

[1229-30, February 24.]

Henry, by the grace of God, King of England, &c., to his archbishops, . . . justices, sheriffs, reeves, ministers, and all his bailiffs and faithful subjects, greeting. We have inspected the charter of Lord King John, our father, made to our burgesses of Nottingham, in these words: "John, by the grace of God," [*reciting King John's Charter, ut supra.*] We, therefore, accounting these gifts and grants as valid and acceptable, grant and confirm them to the aforesaid burgesses for us and our heirs.

Moreover, we have granted of our own gift, and by this our charter do confirm, for us and our heirs, to the same burgesses and their heirs, that they may render to us the aforesaid ferm of the same borough, by their hand at our exchequer at two terms, to wit, twenty-six pounds at the close of Easter, and twenty-six pounds in the octave of Saint Michael; and that they and their heirs may have and hold the aforesaid town by the aforesaid ferm of fifty-two pounds of white money, as is aforesaid. We have also granted, for us and our heirs, to the same burgesses and their heirs, that they may take tronage in the town of Nottingham of wares which go by weight, as they are used to take in other boroughs and cities throughout England. And that they may have coroners from themselves in the same town.

AGREEMENT between the BURGESSES of NOTTINGHAM
and DERBY as to TOLLS.

[1279, July 26.]

Know all men seeing or hearing this present writing made in the manner of a chirograph that, whereas certain contentions have arisen between the burgesses of Nottingham on the one part, and the burgesses of Derby on the other part, as to certain exactions made on one side or the other, as well as by toll as by the emption of live cattle or animals, and certain other things set out below, the said contentions have been at length allayed, by the intervention of all friends, with the express consent, of both communities, in this manner, on the morrow of St. James the Apostle, in the year of Grace 1279, and in the seventh year of the reign of King Edward the son of King Henry, at Sandiacre; to wit, that the said burgesses, both of Nottingham and Derby, have granted henceforth, for them and their heirs and successors of the liberties of the aforesaid boroughs, that whosoever of those boroughs shall buy any animal or animals or cattle whatsoever within the liberties of the other borough, he shall bring the sellers of the said animals or cattle before the bailiffs of the said liberty, before he shall go out of the same liberty with the said animals or cattle, to pay thereon their toll, if he desire it. And in case it shall happen that any of these sellers, by reason of whatsoever liberty he may claim, shall refuse to pay thereon his toll, it shall be permitted to the said buyers of the borough to cancel their purchase of such animals or cattle, if they will, or to adhere to it, but they shall pay the toll for their seller if they will, and if it shall seem expedient to them; and afterwards when they make their passage with their said animals or cattle through the way-wardens, who are called "Gategetirs," or through others

of the liberty of the borough where the purchase was made, who take sign of the toll for the said animals or cattle from them, they shall pass through quietly on their oath, to wit, that they have appeared before the bailiffs in the manner aforesaid. And if the said buyers shall be hereupon impeded of their free passage by any of the aforesaid borough, or shall be arrested, and this can be honestly proven, then they who have impeded them shall satisfy them, by the supervision of trustworthy men of both towns, of their damages which they have received by reason of their hindrance and arrest. But if it shall happen that any of the aforesaid burgesses, of whichever of the aforesaid boroughs he may be, or his servant, shall presume to fly beyond the liberty aforesaid, carrying away any such animals or cattle aforesaid, other than his own, by themselves or with his own cattle, in deceit of the toll, and this can be surely proven, the same transgressor shall then give two shillings by way of amercement to the bailiffs against whom he has transgressed for the aforesaid transgression, and the aforesaid animals or cattle shall be nevertheless arrested until the said bailiffs shall be fully satisfied of the toll and transgression; and if any servant aforesaid convicted of such transgression shall not be found sufficient to pay the said two shillings, then his lord shall answer for him to the said bailiffs for the said two shillings for as much as his wages will cover, and shall also remove the same servant from his service as long as aught of the said two shillings shall be in arrear, nor shall he stay with any other burgess in service until the said bailiffs shall be fully satisfied of the said injury.

CHARTER OF KING EDWARD I.

[1283-4, February 12.]

The King to his archbishops, &c. . . . greeting. Whereas we on account of certain transgressions which the burgesses and community of our town of Nottingham had committed out of confidence in their liberties, have taken the town, with all liberties pertaining to it, and have retained it in our hands for three years and more, wishing to show the same burgesses and community special grace, we restore to them the same town, with all the liberties, &c. . . . And we have granted, for us and our heirs, for the alleviation of the estate of the burgesses and other men of the same town, that they shall henceforth have in the same town a mayor from amongst themselves, whom the burgesses of both boroughs of the same town being assembled each year in the feast of St. Michael, shall elect with unanimous consent and will, to be set over the bailiffs and others of the same borough in everything pertaining to the government and advantage of the same town, and that they shall at once, the same election having been made, elect one bailiff of one borough and another for the other borough, on account of the diversity of customs existing in the same boroughs, who shall execute those things which pertain to their office. And that they and their successors, besides their fair lasting for eight days at the feast of St. Matthew the Apostle, shall have for ever one other fair in the same town each year to endure for 15 days, that is to say, on the eve, and on the day and the morrow of the feast of St. Edmund the King and Martyr, and for 12 days following, unless this fair shall be to the damage of neighbouring fairs, with all liberties and free customs pertaining to such a fair, unless this fair shall be to the damage of neighbouring fairs, as is aforesaid. These being witnesses: the venerable fathers Robert, Bishop of Bath and Wells; Antony, Bishop of Durham; Thomas de Clare, Otto de Grandison, John de Vesey, Robert Tibetot, Robert Fitz-John, and others. Given [at Lincoln, on the 12th day of February].

AGREEMENT between the PRIOR OF LENTON and the BURGESSES regarding LENTON FAIR.

[Circa 1300.]

Let all the faithful of Christ seeing or hearing the present writing know that, whereas contention had arisen between the prior and convent of Lenton on the one part, and the mayor and burgesses of Nottingham on the other, in regard to the fair of Lenton, in certain liberties pertaining to that fair, the said contention between them is at length, through the mediation of discreet men, amicably settled in this wise: to wit, that the said prior and convent, by the unanimous assent and common counsel of their chapter, have

released and quit-claimed to the mayor and burgesses of Nottingham and their heirs four days of the increment of their fair of Lenton, which the Lord Henry King of England, son of King John, granted to them, by his charter confirmed; so that the said prior and convent, and their successors, shall not hold the fair except for eight days fully complete, and the fair shall begin on the eve of St. Martin, and shall endure from the morning of the same day until the end of the eighth day. They have also granted in good faith, for them and their successors, that neither they nor their successors shall hereafter make any petition towards the Lord King, nor towards any other man, to obtain any days beyond the eight days for the augmentation of their fair, to the damage and detriment of the mayor and burgesses of Nottingham, or of their heirs. Moreover, the aforesaid prior and convent have granted, for them and their successors, to the said mayor and burgesses of Nottingham, that cloth merchants, apothecaries, pilchers, and mercers, of the community of the town, who wish to hire booths in the fair of Lenton, shall give for each booth covered with the covering of the prior, or of their own proper covering, 12d. for as long as the fair lasts, and each of them, according to his condition, shall have a booth amongst the other stranger merchants, to wit, the best amongst the best, and the middle class among the middle class, the smaller among the smaller, excepting those selling "blacks" and accustomed cloths, and each of them shall give 8d. for a booth covered with their own proper covering or not covered. And all others who may desire to hire booths shall give for every booth 8d., excepting those selling iron, and each of them who may desire to hire a booth and occupy land shall give for the booth 4d., and if he do not occupy land, each of them shall give 2d.; so that tanners and shoemakers who do not occupy land shall be quit of covered and uncovered stalls, and from all action pertaining to stallage. And be it known that each booth shall be of the measure of eight feet in length and eight feet in breadth; saving to the same merchants the *appenticia* as to other stranger merchants. Provided that none of the aforesaid merchants, of whatsoever condition he may be, through the medium of any hiring or payment, shall presume to hire a booth or booths, stall or stalls, for the use of any stranger, but only for his own use, nor shall he sell alien goods in the said booths or stalls unless for his own profit, or for the use of any Nottingham merchant. And if it shall be found that any one of the aforesaid merchants shall sell or hire, in any other way than as abovesaid, the warden of fair shall have power to remove the said stranger merchant or merchants, with the goods found in the said booths, until they shall satisfy him of the collusion. And if any one of the aforesaid merchants shall have necessity for more booths than one, he shall have them at the above-named price, and in accordance with the measure aforesaid, giving the better price for the better, and the smaller price for the smaller, in form aforesaid. The said prior and convent grant that the aforesaid merchants who may desire to hire stalls and do not occupy land, shall give henceforth for the stall 2d., as they have hitherto been used to give. And all men of Nottingham buying and selling hides tanned or with hair on, or skins of whatsoever kind, as well dry as fresh, and all from Nottingham passing through Lenton in fair time with carts, waggons, and pack-horses, shall be quit of toll and all custom. For this quitance the said mayor and bailiffs of Nottingham have granted to the said prior and convent of Lenton a building in the Saturday market for ever, which Gilbert de Beeston lately held, and which his ancestors in time past assigned, by a certain composition, to the predecessors of the aforesaid prior and convent. Moreover, each man of Nottingham shall be quit of toll of all things pertaining to his food and clothing, but of traffic of horses oxen and other beasts and cattle he shall give a moiety of the toll of animals bought in the fair of Lenton and led elsewhere to be sold; but he shall give nothing for animals there killed. And the said mayor and burgesses have granted, for them and their successors, that no market shall be held within the town of Nottingham so long as the fair of Lenton lasts, that is to say, for eight days, of any description of merchandise, except within houses and in doors and windows; not selling bread and fish and meat, and other victuals, and leather, except in houses, doors, and windows. And if the said prior and convent, or their bailiffs, shall find anything elsewhere for sale, they shall have power to have their will thereof, without contradiction. And the said prior and convent, and their successors, or their

And be it known, that scavage ought to be taken for such articles of merchandize as are brought into the city by merchants who owe custom.

Of Pesage.

Unto pesage it pertaineth, that all articles of merchandize that are sold by weight, when brought into the city by merchant-strangers, and sold in gross by the hundred-weight or half hundredweight, ought to be weighed by the King's beam; in which case, the buyer shall pay unto the sheriffs, for one hundredweight weighed, one halfpenny; and for several hundredweight weighed he shall pay no more, up to a thousand-weight, and then, for such thousand-weight he shall pay one penny; and for eleven hundredweight he shall pay three halfpence, and no more up to two thousand-weight; and then, for such two thousand-weight weighed he shall pay two pence, and so on. And be it known, that the buyer shall always at his own cost cause the King's beam and weights to be brought to the house where the vendor is staying; so that the vendor shall pay nothing to any one by reason thereof.

Of Tronage.

Unto tronage pertain those articles which are weighed by the King's tron, as also many things that are not weighed at all (that is to say, the custom due upon wine, woad, and other things): thus, for a sack of wool, three weys in weight, taken out of London to the parts beyond sea, by merchants liable to custom, the sheriff ought to have eleven pence, and if there is more wool contained in such sack than three weys and a half, or four weys, the sheriff shall take for the sack no more than eleven pence. And if the merchant has several sacks of the said weight going out of the city, the sheriff shall take for the first sack eleven pence, and for each of the others ten pence. For a sack of two weys taken out of the city by merchants who are liable to custom, the sheriff shall receive six pence. And if the merchant has several sacks, then he shall take for the first sack six pence in manner aforesaid, and for each of the others five pence; and if in a sack there are more than two weys, he shall take no more, unless it contain twelve cloves. But if it contains more than twelve cloves, then the sheriff shall take for such sack as much as for a sack of three weys, that is to say, eleven pence. And be it known, that crutrenne* in sacks owes the sheriff nothing, except in manner aforesaid; that is to say, if in a sack of two weys the worsted weighs more than twelve cloves, then he shall take for the same eleven pence, in manner before stated.

Of the Weighing of Wool.

The merchant may lawfully make his election not to weigh with the King's tron, if he pleases, and he shall pay no more than has been stated. And if his wool has not been weighed,† he shall not pay less than the custom aforesaid.

Of the Sale of Wool.

For wool that is to be sold in the city, even though it be brought by merchants who are liable to custom, the sheriff ought not to have tronage; nor yet for lead, or for lard, or for other things that shall be weighed by tron. But at the will of the vendor and the buyer, they may be weighed by the other trons in the seld,‡ and by whichever tron they may please.

For each tun of wine brought into the city by merchants who are liable to custom, the sheriff takes two pence.

For each quarter of woad going out of the city, the sheriff takes one halfpenny; which article does not pertain unto tronage.

Of Woad.

It should also be known, that in ancient times no woad used to be harboured in the city, but all was sold in the vessel. In times that are past, the merchants harboured their woad, renting the warehouses by leave of the sheriffs. After this, in the time when Andrew Bokerelle was mayor, by assent of the greatest persons in the city, the merchants of Amias, of Nele, and of Corby,§ obtained a letter sealed with the common seal of the city, by which it was granted

unto them that they might at all times, and whenever they might please, harbour their woad, and for the same should pay unto the mayor 50 marks sterling *per annum*; that is to say, at the fair of Saint Ives 25 marks, and at the fair of Wyncestre [Winchester] 25 marks. And at a still later period, they were to pay one halfpenny for each quarter of woad, as before stated.

Of the Custom of the Merchants of Normandy.

The merchants of Normandy pay a fine unto the sheriffs for leave to harbour their woad. But nevertheless, it was provided at the time* when Thomas Fitz-Thomas and Matthew Bokerelle were sheriffs—when they were making outrageous demands upon the merchants for such leave—that from thenceforth they should pay unto the sheriffs seven shillings for each frail, for leave to harbour; and at a still later period one halfpenny for custom, as before stated.

Of Vessels with bulwarks.

For every vessel with bulwarks that anchors in the Thames the sheriff takes two pence; and even though she should anchor in several places, he shall take no more, if so be that she does not anchor within the limits of Queen-Hythe. And in such case, [the vessel] shall pay unto the warden of that hythe two pence for custom.

For the rent of the cemetery called the 'New Cemetery,' the person who collects scavage takes one mark *per annum* to the use of the sheriffs, payable at the four terms in the year.

For the rent of the Cologne merchants, that is to say, for the Hall of the Danes, forty shillings are received *per annum*; at Easter and at the Feast of [Saint Michael], that is to say, for holding their own court and having their own attachments in their court, without aid given by the sheriffs.

Here are set forth the customs that were wont to be taken for things coming into London or going out therefrom for sale; as by the citizens, at the command of his lordship the King, was presented unto the Barons of the Exchequer, while the city was in the King's hands, after the disturbances of the realm that took place in the time of Sir Symonde de Mountforde, Earl of Leycestre.

Of Customs payable in the City. Of Scavage.

This is the inquisition made in the city of London, by the citizens of the same city, as to the prizes and customs which the King ought to take from the merchants and merchandize entering and going forth from the same city; that is to say, from those who owe custom.—

The kark of grain that weighs three hundredweight owes for scavage forty pence.

The kark of pepper that weighs three hundredweight and a half, six pence.

The kark of alum that weighs four hundredweight, eight pence.

For. 194 B. The kark of sugar, cummin, almonds, brazil, quicksilver, ginger, cetewal, lake, liquorice, small spices, (such as cloves, mace, cubebs, and nutmegs,) vermilion, glass, figs, raisins, shumac, sulphur, ivory, cinnamon, gingerbread, rice, turpentine, cotton, whalebone, frankincense, pyoine, anise, dates, chesnuts, orpiment, olive oil, and other kinds of avoirdupois, the kark of which ought to weigh four hundredweight, owes for scavage six pence. And if there is less than one kark, then according to the quantity of the article, down to the fourth part [of one kark]; that is to say, for the half kark three pence, and for the fourth part one penny halfpenny. The same custom the King takes for fine wares that pertain unto spicery, as also for small seeds, according to the amount of the weight, and for confectures of spicery.

The charges upon Wool of Spain and Haberdashery.

The fixed charge upon wool of Spain, wadmal, mercery, canvas, marten-skins, coney-skins, woolfels, linen cloth, fustian, felt, lymere, pile, haberdassherie, squirrel-skins, parmentery, shalloons, cloths of Reynes and cloths of silk, and upon other articles that pay custom at a fixed rate, is six pence; and the half of such fixed charge is three pence; and the fourth part of the fixed charge one penny halfpenny.

* Apparently 'worsted.'

† *i.e.*, if it has been weighed at any other authorised weighing place.

‡ Shed.

§ In Picardy.

* The year A.D. 1287.

The dozen of cordwain [pays] one penny, the dozen of godelmynges* one penny, the dozen of basil one halfpenny, the pound of silk one halfpenny, the pound of saffron one farthing. And be it known, that this custom is only taken for wares that come from beyond sea; wax, argoil, copper, tin, [and] grey-work owe no custom, if they do not pass beyond Thames Street towards the North. And if such articles do pass, they shall pay a fixed charge of six pence, and for the half of such fixed charge three pence, and for the fourth part of such fixed charge one penny halfpenny.

Of the Customs payable upon Victuals.

The customs that pertain unto the small trades in the market of London. Every load of poultry that is brought by horse, shall pay three farthings, the franchise excepted. Every man who brings cheese or poultry, if the same amounts to four pence halfpenny, shall pay one halfpenny, the franchise excepted. If a man on foot brings one hundred of eggs or more, he shall give five eggs, the franchise excepted. If a man or woman brings any manner of poultry by horse, and lets it touch the ground, such person shall pay for stallage three farthings. And if a man carries it upon his back, and places it upon the ground, he shall pay one halfpenny, of whatever franchise he may be.

Every basket of bread shall pay one halfpenny per day. The basket of bread of the baker who brings it towards the west side of Walbrok, entering the market on a Sunday, shall pay three halfpence, and upon other days but one halfpenny. Every foreign butcher who sells flesh in the market, shall pay upon Sunday one penny for stallage.

Every cart that brings corn into the city for sale, shall pay one halfpenny; if it enters by way of Holburne or by the Flete, it shall pay one penny, the franchise excepted. Every man who brings corn by horse, whether it be a quarter or half quarter, and places it upon the ground, shall pay one farthing, of whatever franchise he may be. And if he is a freeman, and sells the same on horseback, he shall pay nothing. Every cart of Bremble or of Stevenhethet that comes into the city with bread, shall pay each day one halfpenny. A cart that brings bread into the city from another town, shall pay each day one halfpenny or a loaf, of whatever franchise the owner may be. A cart that brings earthen pots shall pay one halfpenny, of whatever franchise the owner may be. A cart that brings charcoal for sale, shall pay [one farthing] where such charcoal is sold, of whatever franchise the owner may be. A cart that brings wood of alder for sale, shall pay one halfpenny. A cart that brings timber, with the bark or without the bark, squared oak timber excepted (which shall give nothing), shall pay one halfpenny. A cart that brings boards for sale, if it brings a quarter of a hundred or more, shall give one board; and if it brings less than a quarter of a hundred, it shall give nothing. The cart that brings planks of oak, shall give one plank; and if it brings planks of beach, it shall give one halfpenny and one plank. The cart that brings nuts or cheese shall pay two pence; and if it enters by the Flete or by Holeburn, it shall pay two pence halfpenny.

The cart that brings fish or poultry into Westchepe, shall pay two pence. The hired cart that comes into the city with wool, or hides, or other merchandize, shall pay two pence. And if it enters by Holburne, or by the Flete, or by Allgate, it shall pay two pence halfpenny. For every dead Jew buried in London, three pence halfpenny. For every cart that brings bark, one halfpenny; and if it enters by Holburne or by the Flete, it shall pay nothing. Every cart that brings leeks in Lent, shall pay one halfpenny and one fesselet of leeks. The cart that carries woad out of the city, if it carries four quarters or more, shall pay seven pence halfpenny; and if less, for each quarter it shall pay one penny. The cart that brings melwels, || herrings, or other manner of fish, shall pay one halfpenny for such cart. If a man or woman brings bread for sale from Saint Alban's, of the value of four pence halfpenny, such person shall pay one farthing.

The Customs of Smythfelde.

These are the customs of Smythfelde.—For every cow or ox sold that is full grown, one penny, the franchise excepted. For every dozen of sheep, one penny; and if there are less, one halfpenny; and if there is one only, one

halfpenny. If foreign dealers bring oxen, cows, sheep, or swine, between the Feast of St. Martin [11th November] and Christmas, they shall give unto the bailiff the third best beast after the first two best; or else they must make satisfaction to the bailiff before they enter the county of Middlesex. And if the bailiff takes an ox or cow for scavage upon the field, of the value of one mark or more, such bailiff is bound to return forty pence for the hide. If a foreign dealer brings lean swine for sale between Hokeday* and the Feast of Saint Michael, he shall give unto the bailiff the third best pig after the first two best, unless he pay a fine unto the bailiff of six pence or twelve pence.

The Customs of the Bridge.

These are the customs of the bridge.—The vessel that brings melwels,† without any other fish, shall give two melwels, the franchise excepted. The vessel that comes with melwels together with rays, shall give one melwel and one ray, the franchise excepted. The vessel that comes with herrings, fresh or salted, shall give one hundred herrings, the franchise excepted. The vessel with bulwarks that anchors in the Thames, shall pay two pence for strandage, the franchise excepted. The vessel that brings sea-bass, conger, dory, surmullet, turbot, shad, or eels, shall pay no custom, beyond two pence for the vessel, for strandage. The vessel with bails‡ that anchors in the Thames shall pay one penny, the franchise excepted. The vessel that brings mackerel shall give six-and-twenty mackerel, the franchise excepted. The same custom the bailiff takes for the vessel that brings merling§ or haddock. The boat that brings five panniers of whelks, shall give one pannier and one halfpenny, the franchise excepted. The same custom the bailiff takes for the vessel that brings merling; and if it brings more, it shall pay no more. If a boat belonging to a foreigner brings merling, mackerel, or haddock, and the fish belongs to a freeman of the city, it shall pay no custom, except one halfpenny for the boat, for strandage. And if the fish belongs to a foreigner, the bailiff shall take six-and-twenty fish, and for the boat one halfpenny. And if one half of the fish belongs to a foreigner, he shall pay but one half of the custom.

The boat rowed with tholes that comes to Oistergate,|| shall pay one halfpenny, the franchise excepted. The boat rowed with oarlocks that comes to Oistergate, shall pay one penny; and if one half of the boat belongs to a freeman of the city, and the other half to a foreigner, the foreigner shall pay one half of the custom, that is to say, one halfpenny. If a stranger brings melwels into the city, and carries it out thereof for resale, he shall pay for one hundred two pence, and for half a hundred one penny, and for a quarter of a hundred one halfpenny, the franchise excepted. If a stranger buys white herrings in the city, or red herrings, he shall pay for a thousand of white herrings one halfpenny; and for a thousand of the others one farthing. Dealers who bring fish into the city by land on horse, shall give for each dorer one fish, and one halfpenny for the horse, melwels and ray excepted. Strange dealers [who] buy fish in the city and carry it out of the city for resale, shall pay upon each horse-load one farthing for the horse. If a cart brings salmon belonging to a foreigner into the city, the bailiff shall take one salmon, the second best, for custom, besides two pence for the cart. And if the salmon belongs to a freeman of the city, the bailiff shall take nothing for the fish, but only two pence for the cart. The cart that brings white or red herrings into the city, shall give five herrings, and two pence for the cart, the franchise excepted. The cart that brings mackerel, shall give five mackerel, and two pence for the cart, the franchise excepted. And after the same manner, the bailiff takes for merling that comes by cart. The cart that brings melwels, shall give one melwel, and two pence for the cart, the franchise excepted. After the same manner the bailiff takes for merling that comes by cart. The cart that brings eels, shall pay two pence, and nothing for the fish.

Where a horse brings apples or pears, or other manner of fruit, there shall be paid one halfpenny for the horse. The cart that brings other manner of fruit, shall pay one halfpenny for the cart.

Fees of the Bailiff of the Bridge.

As his fee for a man, the bailiff takes nothing. For every boat that brings sprats, if the boat is not of the

* Calf skins prepared at Godalming.

† Those who were free of the city were not required to pay anything on this account.

‡ Bromley or Stepney.

§ Bunch.

|| Small codfish.

* The second Tuesday after Easter.

† Small codfish.

‡ Mr. Riley calls these "hoops nailed to the sides, for supporting a tilt or awning."

§ "Ling-de-mer."

|| Near Fishmongers' Hall.

franchise of London, the bailiff shall have one tandel* of sprats, and for the boat one farthing. The vessel that brings dabs, shall give six-and-twenty dabs for each hundred; and if it brings less it shall give nothing, and if it brings more it shall give no more than [one hundred dabs]. A porpoise owes one penny, and if it is cut up for selling by retail, the bailiff shall have the chawdron† and the tail, and the three fins. For the vessel that brings conger, the bailiff shall take the best, and the second best for his money, according to the price set thereon upon sale. And if the owner is of the Cinque Ports, he shall give nothing. A vessel of Scotland that brings salmon, shall give two salmon. And if it brings salmon and melwels, it shall give one salmon and one melwel; and if salmon and haddock, one salmon and thirteen haddocks; and for the vessel two pence. The first vessel that comes from Gernemue [Yarmouth] with white herrings, that owes full custom, shall give two hundred herrings; and every other vessel that shall come afterwards, shall give one hundred herrings, the franchise excepted.

The Customs of Billyngesgate.

Every great vessel that grounds, shall pay two pence for strandage. For a small vessel with oarlocks that grounds, one penny. For a boat that grounds, one halfpenny. For two quarters of corn, measured by the King's quarter, one farthing. For one coomb of corn that comes by water, one penny. For every quarter of woad going out of the city by water, one halfpenny. For two quarters of sea-coal, measured by the King's quarter, one farthing. For every tun of ale sent to the parts beyond sea by merchant-strangers, four pence. For every thousand of herrings entering and exported by strangers, one farthing, the franchise excepted. If a stranger carries melwels out of the city, he shall pay two pence upon each hundred. If a merchant-stranger exports butter, tallow, or lard, beyond sea, he shall give for the first way three pence halfpenny, and for each other way one halfpenny. For every wey of cheese exported by a stranger, four pence. For every last of leather exported by a stranger, twelve pence. For the dacre‡ of leather exported, two pence. For nonpareil leather exported, one halfpenny. For every

Fol. 196 A. trussel of leather tied with cords, four pence.

For every trussel tied with cords, of whatever merchandize it may be, great or small, four pence. For every trussel of cloth exported beyond sea by a stranger, small or large, four pence. For harpoy§ and fysshe ponde, one penny farthing. For a coda of sulphur, one penny farthing. For every tun of wine that owes custom, imported and exported, two pence. For every tun of honey that owes custom, twelve pence. For every [vessel] that brings nuts, four pence. For a single ship's store, [four pence]. For a kark of nuts, four pence. For every karrel|| of lead exported by a stranger, four pence. For every hundred-weight of iron, imported and exported beyond sea by a stranger, one farthing. For every two quarters of onions imported by a stranger, one farthing. For every hundred bunches of garlic, one halfpenny. For every last of clay and potter's earth imported and exported by a stranger, three pence. For every last of barrelled herrings exported by a stranger, three pence. For every hundred of boards called "*weymascotte*," one halfpenny. For every hundred of boards called "*Ryghholt*,"¶ one penny. For one ton of flax imported and exported by a stranger, four pence; and if there is less than a ton, two pence. For flax that comes in bundles, for every dozen, one penny. For every wey of feathers imported by a stranger, two pence. For horses and other beasts exported by a stranger, four pence per head. For a barrel of litmus imported by a stranger, one farthing. For one hundred stockfish imported from Pruz [Prussia], one farthing. For pottery imported, that is to say, tureens, pipkins, patens, earthen pots, and for other small articles imported or exported beyond sea, not above-written, the said bailiff shall take nothing.

Also, it is ordered that no waterman carrying persons from Billyngesgate to Gravesende, or back again to Billyngesgate, shall take more than two pence for one person.

The Customs of Queen-Hythe.

For every cipe of salt (a measure, namely, containing five quarters) which shall belong to a stranger, as also if

* Basket: the word is an abbreviation for 'two-handle.'

† The entrails.

‡ 'Dicker,' i.e. ten.

§ The pitch mixture used for coating ships: perhaps a special rate on ships coated in this way, for the item following is a special rate on ships for having a 'fish-well.'

|| The 'charrus' of 175 stone or 2,100 pounds.

¶ 'Wood of Bilsa.'

it shall belong to any man of the Cinque Ports, shall be paid unto the King's ferm two pence; and if any freeman of the city shall own a part of such measure, he shall pay nothing for his share.

Also, for every vessel that is navigated with oarlocks, two pence shall be taken, unless it be of London or of the Cinque Ports.

Also, for every vessel that is navigated with tholes, one halfpenny shall be taken.

Also, for every scout* that is moored at the said hythe, with firewood or with corn, one penny shall be taken.

Also, for every quarter of woad belonging to a stranger that is carried away from the said hythe, one halfpenny shall be taken.

Also, for every thousand of herrings belonging to a stranger, bought for resale and carried away from the said hythe, one halfpenny.

Also, for every hundred of salt fish belonging to a stranger, bought for resale and carried away as above, two pence shall be taken.

Also, for every cart-load of divers articles of merchandize bought for resale and carried away as above, one penny.

Also, for every tun of wine belonging to a stranger and bought for resale, that has to be put upon a cart, and is carried away from the said hythe, two pence shall be taken for the cart, if the same is hired.

Also, for every horse-load of any merchandize on sale belonging to a stranger, entering or leaving by the said hythe, one halfpenny shall be taken,—as for one horse.

Also, for every cart-load of wool and skins entering by the said hythe, two pence halfpenny shall be taken,—as for the cart.

Also, if any foreigner, as also any man of the Cinque Ports, shall come with salmon, in case he shall have brought one hundred or more, he shall give two salmon unto the Queen's ferm; and if he shall have moored in the Queen's soke, he shall give one of the very best and one of middling quality. And if he shall have brought less than one hundred, he shall give according to the amount of the article, down to one fourth [of a hundred]; and if he shall have brought less than one fourth part of a hundred, he shall give nothing, strandage excepted.

Also, for salted melwels the like custom shall be taken.

Also, for salted mackerel, haddock, merling, and conger, and the like kind of salted fish, the same custom is to be taken in that soke for the Queen's ferm that the sheriffs take unto the King's use at Billyngesgate.

Further as to the Customs of Queen-Hythe.

Also, if a foreigner, as also any man of the Cinque Ports, shall have brought salted herrings in his vessel into the Queen's soke, one hundred herrings shall be taken from such vessel. And if any citizen of London shall own part thereof with him, such citizen shall pay nothing for his share.

Also the foreigner who shall bring the first [cargo of] red herrings, not packed in frails, shall give one hundred herrings; and others who shall come afterwards with the same kind [of fish], whether the same be packed in frails or not, shall give nothing, beyond strandage for the vessel: that is to say, for a large vessel two pence, for a small vessel one penny, and for a boat one halfpenny.

Also, if any foreigner shall bring salted salmon or melwels in a vessel, and shall then place it on board of another vessel for exportation by water, he shall pay two pence for every hundred. And if he shall buy less than one hundred, he shall pay according to the amount of the article bought.

Also, if any foreigner shall buy herrings in one vessel and shall place them on board of another, he shall pay one penny halfpenny for every thousand.

Also, for salmon and melwels bought in shops within the said soke, two pence shall be taken for every hundred.

Also, for herrings bought in shops of the same hythe, one halfpenny shall be taken for every thousand, the same as from the vessel.

Also, for all kinds of fresh fish coming into the Queen's soke, the same custom shall be taken that is taken for the same kinds for the ferm of his lordship the King at London Bridge.

Also, corn that is brought to land between the gutter of the Guildhall of the Cologne Merchants and the soke of the Archbishop of Canterbury, ought not, nor is wont, to be measured by any other quarter than by the quarter of the Queen's soke.

Also, it shall be lawful for the Queen's bailiff to take scavage in the Winchester sold in the same manner in

* A vessel from the Low Countries.

which the sheriffs of London take scavage for his lordship the King in London elsewhere. All the customs before written are to be observed and holden as well at the wharf of Douegate [Dowgate] as at Queen-Hythe.

Also, all assizes of the city at the hustings provided and enacted, for the amendment of the city, are to be enacted and observed in the Queen's soke.

Of the Measurement of Corn and Salt.

'Inquisition taken before Elyas Russell, the then mayor of the City of London, and the aldermen of the same city, on the Saturday next after the Feast of the Conception of the Blessed Mary [8th December], in the nine-and-twentieth year of the reign of King Edward, son of King Henry, by John de Stratford, William de Welles, Richard de Chinggeford, William Poyntelle, John Page, William de Gartone, Peter de Hungrie, William Cok, John de Parys, John Dode, John le Coffrer, Adam Bras, Henry le Esponner, Adam Trygg, Vincent de Stratforde, and Richard le Hareber, of Bredesteete, who being sworn and diligently examined upon oath, say—that from of old it hath been enacted, and hath been heretofore the usage, in the city and in the suburbs of the City of London, for the bakers, and brewers, and others of the city, to pay for the measurement, carriage, and portage of one quarter of wheat of any kind, bought at Queen-Hythe, and conveyed unto their houses,—that is to say, from that hythe through all the streets and lanes as far as Westchepe and as far as the church of Saint Antony,* as far as Horsobrigg,† and as far as Wolsiesgate in the Ropery,‡ one halfpenny farthing. And from the said Queen-Hythe through all the streets and lanes beyond the places aforesaid, as far as Flete Bridge, and as far as Newgate, and as far as Crepulgate, and as far as opposite to Berchenes Lane on Cornhulle, and as far as Estchepe, and as far as Billyngesgate, one penny. And from the said Queen-Hythe throughout all the streets and lanes beyond the places aforesaid, as far as the bar of the suburbs, one penny farthing.

'They further say, upon oath, that every chief master-meter of all the serving people at Queen-Hythe, shall find a quarter, bushel, half bushel, strike,§ and one horse.

And there shall be eight chief masters there; and each of such eight masters shall have three associates standing there; and each of such three so standing there shall find one horse and seven sacks, etc. And he who shall contravene this ordinance shall abjure his office, etc. The jurors say also, that of right there ought to be at Queen-Hythe eight chief measures for the measurement of corn; and that each meter shall have under him three servants, each of such meters and their servants having one horse for the service of the community of the city; it being understood that none of the said horses shall be taken by the sheriffs, or by any other persons in their name, from the performance of their duties. And also, that each servant shall have five sacks, and that each chief meter shall have one quarter, and a bushel, and a strike, and a corn-dish. [And also, that no one of the said meters ought to mete for any stranger without leave of the bailiff of Queen-Hythe.¶] And also, that no one of the said meters, or of their servants, shall take for the labour of measuring and carrying more than according to ancient custom ought to be taken, and that according to the same limits as heretofore. And also, that no meter, or any servant of theirs, shall interfere between buyers and sellers; and that such meters shall not go, for the purpose of meting corn, beyond the Hall of the Teutonicus.¶¶

'And further, they say that there ought to be four meters for the measurement of salt, and that every meter shall have under him one servant. And that each such servant shall have eight good and sufficient sacks, for the service of the people. And that each of such meters shall have a bushel measure, and a strike, and a spud; and that the said meter ought to fill the bushel with salt at two hauls, and then at the third haul smooth the surface of such measure. And that no one of the said meters or their servants shall take beyond one farthing more for measuring and carrying salt than for corn, and that, according to the limits prescribed for corn. And that no one of the meters or of their servants shall interfere between buyers and sellers. And that there shall be no other meter between London and la Zenlade, except only**

* St. Antholin, in Budge Row.

† i.e., 'Horse-shoe-bridge,' over Walbrook.

‡ Mr. Riley says this was in the parish of Allhallows the Less, in Thames Street.

§ A ruler to 'strike' off what rose over the rim.

¶ These words are inserted by Mr. Riley from the copy in the *Liber Custumarum*.

¶¶ The Guildhall of the Hanse Merchants was in Dowgate.

** Yantlet Creek.

the said meters and the bushels of Queen-Hythe. And that the bailiff of Queen-Hythe, throughout the said limits, shall receive two pence for every *ciphe* of salt. And that no one of the said meters shall mete as between strangers. And that [the bailiff] shall take from a stranger for custom upon one *ciphe* (containing five quarters) two pence, and no more. And that no bailiff of Queen-Hythe shall force any merchant of the freedom of the city, or any stranger, to employ him. One *cipine* of salt to his own use. And that salt shall be sold nowhere except upon Salt Wharf. And that the bailiff of Queen-Hythe, before meting, shall ascertain the fact of sale by oath of the vendor.'

Of the Fee of the Bailiff of Queen-Hythe.

'Also the bailiff of Queen-Hythe shall not take more than five shillings of a chief meter of corn and salt, or of his servant more than two shillings as his fee. And no meter, or servant [of a meter], of corn or salt, shall be received to perform the duties aforesaid without the assent of reputable men of the said trades. And no amercement shall be taken of poor labourers except according to ancient custom, that is to say, two pence, at the least, or three pence, or four pence, at the most; but so soon as they are convicted of any trespass in contravention of their oath, let them be removed from their office.'

Of Boats bringing oysters, whelks, mussels, or soles.

And that no boat that brings oysters, whelks, mussels, or soles, shall remain longer upon sale than one high tide and two ebbs. And whosoever shall lie a longer time—as for his oysters, whelks, or mussels, let them be forfeited.

Of Wool.

As to the custom upon sacks of wool that come by the Thames to Queen-Hythe.—No custom shall be taken [there] for the carts of persons of the franchise of the city. And if the bailiff of the said hythe wishes to have custom upon such carts, let him appoint one of the helpers at the place where the carts are unloaded, to take the rightful custom there. Item, whereas the bailiff of Queen-Hythe takes . . . for custom from strangers for each quarter, before they go to help such strangers, we do tell you that such is an extortionate charge, seeing that the bailiff of Billyngesgate takes nothing.

Fol. 197 B.

Of Tronage.

'This is the custom of Tronage.—A merchant-stranger who exports wool beyond sea, shall pay for one sack that contains two weys six pence; and if there are several sacks of two weys, he shall pay for the first sack six pence, and for each of the others five pence. And if the merchant has several sacks that contain two weys and a half, or three weys, or four weys, he shall give for the first sack eleven pence, and for each of the others ten pence. And if a merchant exports butter, tallow, or lard, beyond sea, he shall give for the first wey of butter, tallow, or lard, one penny halfpenny; and for each of the others one halfpenny. And for every wey of cheese exported beyond sea, four pence. For every last of leather exported beyond sea, twelve pence. For a dacre of leather, two pence; and of nonpareil leather, one halfpenny. For every trussel of leather bound with cords, four pence. For every hundred of woolfels, four pence. For every trussel bound with cords, of whatever merchandize it may be, great or small, four pence. For harpoys and for fispounds,* one penny farthing. For a coda of sulphur, at the same valuation, one penny farthing. For every tun of ale exported beyond sea, that owes custom, four pence.

And if the merchant pays at Billyngesgate, he is cleared throughout; or if he pays unto the Warden of the tron, nevertheless it then belongs to the tron. For every tun of wine that owes custom, two pence. For every large vessel that anchors, two pence. For every quarter of woad that owes custom . . . For every small vessel that grounds, one penny. For every small boat that anchors, one halfpenny. For every tun that comes with honey, owing custom, twelve pence. For every vessel that brings nuts, four pence. For a single ship's store, four pence. For every karre of lead, exported beyond sea by a stranger, four pence.

Woolchirchaw [Wool Church Haw].

This is the custom of Woolchirchaw.—For one pound of wool [sold] to a foreigner, one halfpenny; and for one sack, only one halfpenny. For two woolfels and more, one

halfpenny; and for one hundred only one halfpenny. For one pound of woollen yarn, one halfpenny; and for one hundred only one halfpenny. If any foreigner brings wool, woofels, or yarn, through the city for sale, to the value of ten pence and more, he shall pay as custom one farthing.

The Custom of Graschirche.

This is the custom of Gerchirche.—Every foreign cart that brings corn or malt, shall pay one halfpenny. Every cart that brings cheese, two pence. Item, every cart that brings corn and cheese together, if the cheese is worth more than the corn, shall pay two pence; but if the corn is worth the most, it shall pay only one halfpenny. Every cart that brings nuts and corn together, if the nuts are worth more than the corn, shall pay two pence; and if the corn is worth the most, it shall pay only one halfpenny. Upon two horses that bring corn or malt to Graschirche, the bailiff takes one farthing. A cart that belongs to the franchise of the Temple and of Saint Martin le Grand, one farthing. A cart that belongs to the Hospital of Saint John, with their own corn, shall pay nothing; and if such corn is bought for resale, it shall pay one halfpenny.

Pesage.

The custom of Pesage.—Merchandize that is weighed by beam of one hundred pounds, shall pay one halfpenny, and up to one thousand no more; and beyond that, it shall pay one penny. And for eleven hundred one penny halfpenny, and up to two thousand no more; and then the Warden of the beam shall take two pence, and so on.

Of Wines.

The King's Prisage upon wines.—If nine tuns of wine, or less than nine, come in a ship or in a boat, the King's Chamberlain ought to take nothing, as of right, for the King's prisage. And if ten tuns come, he shall take one tun; and if there are nineteen tuns, he ought to take nothing upon account of prisage beyond one tun; and upon twenty tuns he shall take two. And if one hundred or two hundred tuns come together in one ship, the Chamberlain shall take for the King's prisage only two tuns. And if a great ship that comes with wines has to unload into boats before it arrives [at the wharf], and then follows the boats, with the remaining wines, unto the wharf, the Chamberlain ought to take for ship and boats only a single prisage. And if the mariners of the ship or of the boat can shew that the King's prisage has been taken at Sandwiz [Sandwich], or in any other sea-port, by the Chamberlain or by any other bailiff acting on behalf of the King, the Chamberlain ought to take nothing at London; but throughout all dominions of the King the merchants to whom such wines belong, ought to go quit by reason of the first prisage. Fol. 198 A.

When nineteen or nine tuns come to London by boat, it is fully lawful for the Chamberlain to take the assurance or the oath of the merchants to whom such wines belong, that they do not cause the wine to arrive in such manner, by small quantities, for the purpose of avoiding or of withholding the King's prisage.

“ARTICLES OF ANCIENT USAGE.”—*Ibid.*, Bk. III., Pt. II.

Of Corn-dealers.

[Fol. 198 A.] Also, as to corn-dealers who bring corn unto the city for sale—that no one shall sell by show or by sample. But they shall come to certain places in the city established with their carts laden, and with their horses having the loads upon them, without selling anything, and without getting rid of anything, until [they reach] the established places; that is to say, within the Gate of Neugate, before the Friars Minors [there, and] at Graschirche; and this, without putting anything into house or into hiding-place, whether the same arrive by night or by day. And that no corn shall be sold until the hour of Prime rung at Saint Paul's, under penalty of forfeiting such corn. And that all vessels, scouts, and boats, of whatever kind they may be, that bring corn to sell, as well at Bilyngesgate as elsewhere on the Thames, shall remain upon common sale after they have arrived, without selling anything in gross for one whole day; that so the common people may buy for their sustenance what they shall need; and this under heavy forfeiture.

* The regulations of the ‘Array of Bread and Ale’ proclaimed at the same time are set out in Part III. of the same book of the Repertory (fol. 214 B), and those as to fish at fol. 220 B.
† From 6 to 7 in the morning.

Of the same.

And whereas some buyers and brokers of corn do buy corn in the city of country folks who bring it to the city to sell, and give, on the bargain being made, a penny or halfpenny by way of earnest; and tell the peasants to take the corn to their house, and that there they shall receive their pay.—And when they come there and think to have their payment directly, the buyer says that his wife at his house has gone out, and has taken the key of the room, so that he cannot get at his money; but that the other must go away, and come again soon and receive his pay. And when he comes back a second time, then the buyer is not to be found; or else, if he is found, he feigns something else, by reason whereof the poor men cannot have their pay. And sometimes, while the poor men are waiting for their pay, the buyer causes the corn to be wetted; and then, when they come to ask for their pay, which was agreed upon, [they are told] to wait until such a day as the buyer shall choose to name, or else to take off a part of the price; which if they will not do, they may take their corn and carry it away; a thing which they cannot do, because it is wetted, [and] in another state than it was in when they sold it. And by such evil delays on part of the buyer, the poor men lose half of their pay in expenses before they are fully settled with.—It is provided, that the person towards whom such knavishness shall be committed, shall make complaint unto the Mayor; and if he shall be able to make proof, and convict the buyer before the Mayor of the wrong so done to him, the buyer shall pay unto the vendor double the value, and full damages as well, in case the Mayor shall see that the value aforesaid does not suffice for the damage which he has received; and nevertheless, let him also be heavily amerced unto the King, if he have the means. And if he have not the means of paying the penalty aforesaid, or of finding the amercement, then he shall be put in the pillory, and remain there one hour in the day at least, a Serjeant of the City standing by the side of the pillory with good hue and cry as to the reason why [he is so punished]. Fol. 198 B.

Of Butchers.

And whereas some butchers do buy beasts of country folks, and as soon as they have the beasts in their houses kill them, and then at their own pleasure delay the peasants of their pay; or else tell them that they may take their beasts.—It is provided, that the penalty which in such case is as to buyers and brokers of corn ordained, shall be incurred by such butchers as shall thereof be attainted.

Of Forestallers.

And that no dealer, denizen or stranger, whoever he may be, shall go to meet dealers coming by land or by water with their merchandize and victuals towards the city, to buy or to sell, until such time as they shall have arrived at the said city, and have put up their merchandize for sale; under forfeiture of the article sold and pain of imprisonment, from which imprisonment [the offender] shall not escape without heavy chastisement. And that no one shall put up his wares for sale, that owes custom, until he has paid custom thereon, under pain of losing such article.

Of the same.

And that no merchant, denizen or stranger, whoever he may be, shall go to the Pole (Pool) or any other place in the Thames, to meet wines or other merchandize or go on board of vessels to buy wines or other things, until such time as they shall have come to land, under pain of losing the article.

Of Strangers.

And that no freeman of the city shall hold partnership with a strange man, or avow the merchandize of a strange man, whereby the King or his bailiffs of the city may lose custom upon the same; and this, under pain of losing the freedom.

Of Bakers.

And that two loaves shall be made for one penny, and four loaves for one penny; and that no [loaf] shall be baked of bran. And that no baker shall sell bread before his oven, but [only] in the market of his lordship the King. And if any one is found selling in his house, he

shall be amerced in the sum of forty shillings. And that no one shall buy such bread, under pain of losing the loaf. And that each baker shall have his own seal, as well for brown bread as for white bread; that so it may be the better known whose bread it is. And that each Alderman shall view the seals of the bakers in his ward. And that no baker of white bread shall make tourte bread,* and no one [who makes tourte] make white bread. And that no baker shall buy corn to sell again. And that no baker who makes tourte bread shall sell his flour to cooks for making pastry; nor in any other manner shall get rid of such flour, on pain that pertains thereunto. And that the bread of the bakers shall be taken every month, once at the very least, or more times if it be necessary. And that each baker shall shew his seal at each Wardmote, that so it may be known.

Of Measures.

Whereas some persons do say that the assize of bread and of ale is not so well kept, through the taking of fines from bakers and brewsters.—It is provided, that no sheriff shall take a fine from bakers or from brewsters. And if any sheriff shall do so, and be convicted of the same, he shall be forthwith removed from the office and another appointed in his place.

And if any default shall be found in the bread of a baker of the city, the first time, let him be drawn upon a hurdle from the Guildhall to his own house, through the great streets where there may be most people assembled, and through the great streets that are most dirty, with the faulty loaf hanging from his neck. If a second time he shall be found committing the same offence, let him be drawn from the Guildhall through the great street of Chepe, in manner aforesaid, to the pillory; and let him be put upon the pillory, and remain there at least one hour in the day. And the third [time that such] default shall be found, he shall be drawn, and the oven shall be pulled down, and the baker [made to] forswear the trade within the city for ever.

And that no [baker] of the town shall give unto the regratresses† the six pence on Monday morning by way of hansel-money, or the three pence on Friday for curtesy-money; but, after the ancient manner, [let him give] thirteen pieces of bread for twelve. Nor shall any one take back the bread from the regratresses when cold, under pain of grievous amercement, whoever shall thereof be attained; but let him throw all such outlays into his bread, for the profit of the people.

Of Bakers.

As concerning foreign bakers who sell bread,—at all times in the city that default shall be found in their bread, all such bread shall be forfeited unto the sheriffs of the city, to go unto their ferm, as heretofore has been done. And from henceforth, no foreign baker shall put his bread into hutches or into selds, or elsewhere in hiding-places for storing beyond a single night, under pain of losing the bread. And those who bring their bread in carts, without baskets, are to refrain from Pol. 199 B. selling unto any regratress before they come into Chepe, under pain of the forfeiture aforesaid.

Of Brewers, Taverners, and their Measures.

And that the gallon of wine shall be sold at three pence, and not dearer. And that a gallon of ale shall be made for three farthings, and another gallon for one penny, and not dearer. And if any shall be found dearer, it shall be forfeited unto the use of the sheriff.

And that no brewster or taverner shall sell from henceforth by any measure but by the gallon, pottle, and quart; and that these shall be sealed with the seal of the alderman; and that the tun of the brewster shall be of one hundred and fifty gallons, and be sealed with such seal of the alderman. And if any one shall be found selling by measure not sealed, she shall be amerced, the first time, in the sum of forty pence, and the measure be burnt or broken. The second time, she shall be amerced to the amount of half a mark. And the third time, she shall be amerced to the amount of twenty shillings. And whereas it often happens, that gallons, pottles, and quarts are partly broken, and that some of them, having been marked while they were green,§ after being used for a long time, through dryness shrink, and thereby become not so good as they ought to be,—it is provided, that every taverner and brewster shall

carry such gallons, pottles, and quarts unto the house of his or her alderman four times in the year, that the same may be examined if sufficient in all respects; and for such labour and usage, and for the marks when made at first, two pence shall be given for the gallon, for the pottle one penny, and for the quart one halfpenny. And the same thing shall be done as to the gallon of taverners of wine, the bushel, and the half bushel. For one bushel [so marked] one penny shall be given, and for half a bushel one halfpenny. And if any one shall be found, who on summons to do this shall not come or send, or shall not do in manner aforesaid, such person shall be amerced by the alderman in the sum of two shillings.

Of Hostellers.

And that no one in the city shall harbour any man beyond a day and a night, if he be not willing to produce such person to stand his trial. In case such person shall commit an offence and absent himself, the host shall make answer for him. And that no one shall be resident in the ward of an alderman beyond a day and a night, if he be not in view of frankpledge, or if his host be not willing to produce him to stand his trial.

Of the same.

And it is provided, under heavy penalties, that no stranger, or alien, shall enjoy the franchise of the city, or sell by retail, if he be not first admitted to the franchise, and sworn thereunto and enrolled at the Guildhall. And for being so admitted and enrolled, let him make compensation according as his means may admit of. And it is provided, that no native of a strange land, or other person, of whatever country he may be, shall be herbergeour or hosteler within the city, if he be not admitted a freeman of the city, [and] sanctioned by the mayor and aldermen as a good and lawful man. And that he shall have good testimony from the place whence he shall have come, that he has well and lawfully departed from his own country; and shall find safe and responsible pledges unto the mayor and unto the bailiffs of the city, to be answerable unto the peace of the King, and for the keeping of the citizens of the city free from harm. And if perchance any native of a strange land, through surety that he finds, or through freedom of the city that has been granted unto him, is about to become hosteler or herbergeour in the city, then let him make provision to dwell in the heart of the city or elsewhere: but no such person shall dwell upon the water-side of the Thames, either for keeping hostel or for being herbergeour there.

Of the same.

And that all those who are herbergeours or hostellers in the city, in manner aforesaid, within forty days from the day that these articles shall be read, shall cease therefrom and shall withdraw themselves so as not to do so in future. And if any person shall be found contravening the enactment aforesaid after such forty days, he shall lose the freedom for ever; and nevertheless, he shall Pol. 200 A. be punished with imprisonment, according as the offence demands.

Of Brokers.

And that no person shall be a broker within the city, except such as shall be sworn and admitted by the mayor and aldermen. And if any broker shall be attained of having gone out of the city, and having made forestalment of any manner of merchandize coming towards town, he shall have forty days' imprisonment. And if a second time he shall be attained of such offence, he shall have forty days' imprisonment, and at his departure from prison he shall forswear the calling within the city for ever. And that no sworn broker shall be the host of merchants who import the merchandize of which he is such broker. And that no person shall be admitted as broker except upon the presentment of good folks of the same trade in which he is about to be such broker. And he shall be a broker in that trade only which he has so assigned unto him.

Of Swine.

And that no swine shall be found about the streets, &c., or in the fosses of the said city, &c.

* Coarse brown bread.

† i.e. tested.

‡ Retailers.

§ They were made of wood

Of Barbers.

And that no barbers shall put blood in their windows openly or in view of folks, &c.

Of Regrators.

And that no regrator of corn, of fish, or of poultry, shall buy provisions for resale before the hour of Prime rung at Saint Paul's; or before the substantial men of the land and of the city shall have bought their provisions; under pain of losing the article bought.

And that no market shall be held upon London Bridge, but [only] elsewhere in the city where they are established; under pain of losing the article [sold].

Of Corn Dealers.

And it is provided that no monger of corn, or regrator of any other victuals, shall go forth from the city to buy any manner of victuals coming towards the city. And if any such shall be found, and shall be attainted thereof, he shall be heavily amerced. And further, it is provided that no monger or regrator shall buy victuals coming into the city by land or by water, before that the good folks of the city shall have bought as much as they consider necessary for their use. And if the aforesaid mongers or regrators shall wish to buy any manner of victuals, let it be between Tierce* and noon. And he who shall do otherwise, and shall thereof be attainted, shall be amerced in the sum of forty shillings to the use of the sheriffs, the same to go unto their ferm. The same thing is to be provided as to fishmongers, unless they have leave to buy from and after Prime; so nevertheless, that if any citizen shall come to the boat or vessel he shall have therefrom, for his own use, as much as he shall get for the same price at which the fisherman shall have bought it.

Of Victualiers.

Also it is forbidden that the mayor, sheriffs, aldermen, or their clerks, serjeants, or bedels, shall from henceforth brew themselves or by others for sale, or shall keep oven or wine tavern, &c.

Of Corn Porters.

And that no corn porter shall sell or measure corn . . . or shall lay hand upon corn until he shall be required by those who shall have bought the same; and that no cart shall henceforth stand in the city with firewood, timber, or charcoal before it has sold the same, but it shall remain without the gate and in Smithfield or elsewhere where provided, Cornhill only excepted, under forfeiture of the article.

* From 8 to 9 a.m.

Of Cloths.

And that no one shall cause cloth to be woven for sale except in the city or in the Port-soken or within the franchise, and not in Southwark, under pain of forfeiture and loss of the cloth; and that no one of the city shall go into Southwark to buy corn or other merchandize whereby this market may be there held, under pain of forfeiture of the article there bought, timber only excepted.

And that no merchant shall bring wood, or have the same measured, except by those who are sworn thereunto and to certain quarters assigned.

* * * * *

Of Measures and Balances.

That no person shall have a measure or balance weight except it be good and lawful, and that according to the weight of his lordship the King.

Of Butchers.

And that all foreign butchers shall come unto the city with their meat for sale, and shall bring the hides and pelts of every beast, together with the flesh, under pain of losing the price of such hide (i.e., for an ox hide, 2s. 6d.; a cow hide, 2s.; a pelt, with the wool, 6d.; without wool, 1½d.). And then he shall stand to sell his meat there in pieces, small and large, just as he shall please to do, until high noon,* so that by such time he shall have fully made his sale without getting rid of any meat or harbouring it, either secretly or openly, or putting it in salt or otherwise; and if any such shall be found in town, carried into the house where he is staying, after an hour that is forbidden, the same shall be forfeited to the sheriff.

* * * * *

Of Regrators.

Also it is forbidden that any one shall be so daring as to go on board of vessels or boats that bring scallops, mussels, whelks, or cockles, or any other victuals, when they have arrived, for the purpose of regrating the same, under pain of losing the article; but the same shall stand for common sale by him who shall have brought such wares, so that the community may be served without regrators, and if any such person shall be found he shall be heavily punished.

Of Butchers.

And that no butcher shall sell woollfells so long as they are on the living animals, but only in the King's market, and that after Prime, &c.

And that no butcher or wife of a butcher shall sell tallow or lard to a stranger for export to the parts beyond sea, by reason of the great dearth and scarcity that has been thereof in the city of late.

* After 1 p.m.

VIII.

ABBREVIATIO PLACITORUM.

EXTRACTS.

(The marginal references give the pages of the volume issued by the Commissioners of Public Records.)

Placita de termino S. Michaelis anno 4^o Regis Johannis.

Suffolk.

P. 38.

Juratores dicunt quod mercatum episcopi et monachorum de Ely apud Lakengeheim est ad nocumentum mercati abbatis Sancti Edmundi in villa Sancti Edmundi.—Rot. 6. Dorso.

Placita capta apud Bedeford a die Sti. Michaelis in tres septimanas, coram S. de Pattishull et E. de Faukenberg et sociis suis anno regni Regis Johannis iv.

Hundredum de Flitte.

P. 38b.

Mercatum de Lutton remotum est de die Dominica ad diem Lune et mercatum est comitis de Alba Marla et ideo in misericordia et sit per diem Lune.—Rot. 5.

A 55729.

Hundred' de Wendelawe.

Mercatum de Potton est remotum de die Dominica usque . . . et mercatum est comitis David et ideo villata in misericordia et sit per diem Sabbati.—Rot. 5. Dorso.

Assisae, &c., anno 4^o Regis Johannis.

*Northampton.**Hundredum de Corbi.*

Juratores dicunt quod mercatum de Rowell est remotum a die Dominica usque in diem Sabbati et mercatum est comitis de Clara: ideo in misericordia et villata similiter et sit per diem Lune mercatum.—Rot. 1.

Mercatum de Burgo remotum est a die Dominica usque diem Sabbati et est abbas de Burgo.—Rot. 2.

Hundred' de Hecham.

Juratores dicunt quod Galfridus Cardun levavit novas consuetudines aliter quam debet et quam esse consuevit, scilicet capiendo de careta per terram suam transeunto

in Winwyk cum anguillis stikam anguillarum et de careta mulnellorum unum mulnellum et de careta salmonum dimidiam salmonem et de careta halecium v. haleces; ubi nullam consuetudinem capere debet de aliquo nisi de sale transeunte per terram suam, scilicet de careta i. bollam salis; et tunc debet ipse salinarius habere unum panem pro sale suo; et preterea si careta salinarii facta fuerit sine calumpnia, habebunt equi salinarii pasturam in terra ipsius Gaufridi dum ipse facit caretam suam parare. Et Gaufridus venit et cognoscit quod ipse cepit predictas consuetudines et capere debet, quia ipse et antecessores sui illas ceperunt a conquestu Anglie, etc.—Rot. 2.

Anno v. R. Johannis Assise et Placita corone. Esson' capte apud Lichefeld, etc.

Stafford.

P. 43.

Mercatum de Lichefeld remotum est a die Dominica usque ad diem Veneris et ideo villata in misericordia. Mercatum Novi Castri similiter remotum est a die Dominica usque ad diem Sabbati, ideo in misericordia.—Rot. 2.

Hundredum de Seisdon.

Mercatum de Wolverhanton remotum est a die Dominica usque ad diem Mercurii et ideo villata in misericordia.—Rot. 2 d.

Villata de Stafford.

Juratores dicunt quod assise pannorum non sunt servate et ideo villata, &c.—Rot. 3.

Thamworth.

Juratores de hundredo de Offelawe dicunt ballivi de Tamworth ceperunt toloneum de militibus comitatus Stafford, utpote de bobus et aliis averiis suis injuste; et homines de Lichfeld queruntur similiter quod ceperunt et ab eis toloneum injuste et maxime in comitatu Stafford: et ballivi defendunt quod non capiunt in com. Stafford de militibus aliquid: et quia non possunt contradicere juratoribus ballivi sunt in misericordia.

De hominibus de Lichefeld dicant quod debent habere et habuerunt a tempore Henrici Regis de eis, [maxime de mercatoribus], toloneum tam in com. Stafford, quam in com. Warwick, etc.: et comitatus recordat quod homines Lichefeld tempore Henrici Regis non dederunt toloneum in com. Stafford et ideo in misericordia ballivi.—Rot. 3.

Burgus de Tutesberi.

Dicunt quod mercatum de Tutesberi remotum est et de assisis pannorum quod non sunt servate.—Rot. 3.

Placita incerti temporis R. Johannis.

Placita Corone in Com. Linc.

Wapentac' de Kandlesho.

P. 71.

In villa de Wainfleet frequentatur mercatum per alium diem quam consuetum diem & Prior de Kim' est dominus ville & mercati & concessum est ex parte domini Regis per justiciarios quod mercatum sit per diem Martis ita quod non sit ad nocumentum vicinorum mercatorum.

Rot. 1.

Wapent' de Bulinbroc.

P. 71b.

Mercatum de Bolingbroc tenetur per alium diem quam per diem consuetum & mercatum illud est comitis Cestrie. Habeant mercatum per licentiam die Veneris. Villata de Bolingbroc in misericordia de dimidia marca & sciendum quod villa est parva & fere dominicum comitis.

Rot. 2.

Wap' de Maule.

Mercatum de Burton removetur a die Dominica usque ad diem Martis. Una medietas mercati est comitis Bolonie, et quarta pars Ricardi Wascelini et quarta pars Ricardi de Cestrie. Et finem fecit Ricardus per unam marcam, etc.

Rot. 3 dorso.

Wap' de Belteslawe.

Mercatum de Edenham solet esse de die Dominica & nunc tenetur per diem Lune & Nich. de Stutevill est dominus illius ville & sit mercatum per diem Lune.

Rot. 4.

Wap' de Lonedon.

Mercatum de Lafford est remotum de die Dominica ad diem Jovis: sit mercatum per diem Jovis. Rot. 5.

Hoiland: Hellog Wap'.

Quoddam forum fuit apud Flet per diem Dominicam P. 72. ex antiquo et nunc transfertur inde ad Getenay villam Fulconis de Oiri ubi nunquam fuit prius mercatum et Fulco dat i. marcam pro habendo mercato sicut nunc est usque ad festum S. Michaelis in unum mensem. Rot. 6 dorso.

Burgus de Stanford.

De burgo de Stanford pro stulta presentatione et pro mercato suo remoto xx. marcas et etiam quia eligerunt pauperiores homines ville ad veredictum presentandum. Rot. 8 dorso.

Trin., 14 Reg. Johannis.

Berks.

Abbas Abendonensis summonitus ad ostendendum P. 85b. quod jus ipse habet in feria de Salingeford' quam comes Albemarl' dicit esse ad nocumentum ferie sue de Waneting' quam habet ex dono regis, etc., dicit quod ibi nullam habet feriam, set dicit quod ibi habetur quedam congregatio que appellatur "vigilia," que fuit ibi a conquestu Anglie, et unde abbatia de Abendon' semper fuit seisisa, etc. sine tolneto vel alia consuetudine capienda per abbatem vel per suos; ita quod ipse abbas inde fuit seisitus postquam factus fuit abbas usque ad tempus quando comes primo habuit feriam suam que impedivit illam congregationem, sed tamen ibi semper vendebatur et emebatur, etc. Et abbas de Bello Loco dicit per quemdam ballivum suum quod ipse habet quandam consuetudinem ad vigiliam illam, scilicet de sale qui venit illuc ex dono domini regis, et non ponit se in placito eorum.—Rot. 1 dorso.

Placita coram domino Rege apud Westmonasterium.

Mich., 25 Hen. III. Rot. 27.

Hereford. Ricardus Moniword, Walterus le Wanter, P. 113. &c. summoniti fuerunt ad respondendum P. Herefordensi Episcopi, quare in domibus suis in Hereford vendiderunt, res et merchandisas suas durantibus nundinis ipsius Episcopi in eadem villa contra libertates eidem episcopo concessas de predictis nundinis per cartas predecessorum Domini Regis Begum Anglie et cartam ipsius Domini Regis: unde idem Episcopus dicit quod cum ipse habeat nundinas predictas, etc., et certus locus sit provisus ubi omnes mercatores debent convenire cum merchandis suis, et ibidem merchandisas suas emere et vendere, predicti Ricardus Moniword et alii lanas corea et alias merchandisas vendiderunt in domibus suis durantibus predictis nundinis contra predictas libertates: unde dicit quod dampnum habet ad valenciam xl. librarum ut in stallagiis pesagiis theoloneis et aliis commodis que possent sibi accedere si cum aliis mercatoribus in predicto loco ad nundinas tenendas proviso merchandisas suas vendidissent: Et inde producit sectam.

Et Ricardus Moniword et omnes alii veniunt, etc. et bene cognoscunt quod predictae nundine et omnia commoda inde provenientia sunt predicti Episcopi, etc. ita quod vigilia Sti. Alberti quando predictae nundine incipiunt debent ballivi predicti Episcopi venire ad ballivos civitatis Hereford et accipere ab eis omnem curam et custodiam ejusdem civitatis, et ita quod ipsi habeant omnia attachamenta et potestatem omnium merchandisarum tam in domibus quam extra et ad ballivos Episcopi venient omnes querele omnimodorum forisfactorum et ipsi facient justiciam omnibus querentibus et recipient inde amerciamenta durantibus predictis nundinis; set dicunt quod ipsi et alii pares sui de eadem civitate debent et semper ab antiquo tempore soliti fuerunt, etiam quando nundine fuerunt in manu domini Regis, vendere nundinas suas et maxime lanas suas in domibus suis, et cum eas vendiderunt debent adducere ballivos Episcopi ad recipiendum inde pesagium theolonium et alias consuetudines que inde accidere debent predicto Episcopo, ita quod per hoc quod vendunt merchandisas suas in domibus suis nichil decessere debet predicto Episcopo. Et petunt quod possint uti consuetudine ista, sicut semper ea uti soliti fuerunt, et bene dicunt quod nisi possint uti ista consuetudine non poterunt sustinere honora civitatis:

Et Episcopus dicit quod ipse habet predictas nundinas, etc., et si predicti Ricardus et alii pares sui de Hereford, possint vendere lanas et alias merchandisas in domibus

suis, sic possent ipsi quociens eis placeret concelare ei pesagia sua theolonia et alia commoda que ei accidere deberent. Preterea extranei mercatores possent tradere eis merchandisas suas ad vendendum in domibus suis ut suas proprias, et sic perderet ipse Episcopus stallagia sua, et preterea possent ei concelare pesagia et alias consuetudines suas si eis placeret et sic possent libertates ei concessas, &c. per consuetudinem predictam effeci eidem Episcopo omnino inutiles. Et petit iudicium desicut omnes mercatores conveniunt cum merchandis suis in loco proviso ad nundinas tenendas et etiam mercatores Londonie, qui liberiores sunt aliis mercatoribus, et ipsi nullum warrantum ostendunt per quod ipsi magis quam alii debeant merchandisas suas vendere alibi quam in loco ubi alii mercatores merchandisas suas vendunt. Et quia Episcopus dicit quod cum ballivi sui durantibus predictis nundinis venissent ad domos suas et petissent ab eis theolonium pesagium et alias consuetudines de merchandis in domibus suis venditis, ipsi minati fuerunt ballivos suos quod ipsos verberarent si domos suas intrarent et inde producit sectam, &c. Et ipsi hoc defendunt versus eum et sectam suam:

Ideo consideratum est quod sint inde ad legem, quilibet eorum se xii. manu. Et venit lex a die Sti. Johannis, etc. Postea venit Ric. Moniword et omnes alii et fecerunt legem suam sicut consideratum fuit, et ideo omnes inde quieti et Episcopus versus quemlibet in misericordia. Dies datus est eis de audiendo iudicio suo in Octabis, &c., et aliis ejusdem ville. Rot. 27.

Placita coram W. Ebor' Archiepo' et consilio domini Regis apud Westm. anno regni R. Henrici [III.] xvi^o incipiente xxvii^o.

Surrey.

P. 1196.

Radulfus Dayres qui sequitur pro Rege optulit se versus ballivos de Kingestun' de placito quare contra libertates concessas episcopis London' exigunt ab hominibus ejusdem episcopatus theolonium ac alias consuetudines quas facere non debent nec consueverunt.—Rot. 13, vide Rot. 17, and Rot. 20.

P. 1202.

Ballivi de Kingestun attachiati fuerunt ad respondendum domino Regi de placito quare exigunt theolonium et alias consuetudines ab hominibus episcopatus London' qui est in manu domini Regis contra libertates concessas episcopis London' et quod cum homines de Fuleham solebant venire ad mercatum de Kingestun ad emendum et vendendum libere et sine theolonio, predicti ballivi capiunt ab eis theolonium, etc.

Et ballivi defendunt quod nullum theoloneum nec alias consuetudines capiunt quam facere debent et concedunt quod homines predicti episcopatus quieti sint de theloneo de omnibus que emunt ad opus suum, sed non de eis que emunt ad merchandisas suas.

Et Radulfus Dayres qui sequitur pro Rege dicit quod omnes homines predicti episcopatus tam mercatores quam alii debent esse quieti de omni theolonio.

Et ideo preceptum est vicecomiti ad inquirendum, etc.—Rot. 17.

Wygorn'.

Ballivi Wygornenses summoniti fuerunt ad respondendum abbati de Abbendun' de placito quare ceperunt theolonium in villa Wygorn' de hominibus ipsius abbatis contra libertates quas abbas habuit per cartas suas. Et ballivi defendunt et dicunt quod carte ille non debent ei valere, eo quod semper habuerunt theolonium de omnibus hominibus ipsius abbatis quando aliquid emerent vel venderent in predicta villa sive esset ad opus ipsius abbatis, etc. sive ad usus suos proprios, etc.—Rot. 17 dorso.

Placita coram Consilio D'ni Regis in Octabis Sancti Hyllarii, a^o xxviii^o. [Henr. III.]

Essex.

P. 129.

Ricardus comes Cornubie per attornatum suum, &c. versus Rogerum comitem Norfolk de placito quare levavit quoddam mercatum ad manerium suum de Cestreford ad nocumentum liberi mercati predicti comitis Ricardi de Neuport: Et comes Rogerus non venit, &c. Et attachiatus fuit per Robertum prepositum de Cestreford & Willielmum de Cestreford: Ideo ponitur per meliores plegios quod sit, &c. a die, &c. Rot. 5 dorso.

Kane'.

P. 140.

Ricardus filius Ivonis et Johannes filius Symonis aldermani ville de Faveresham et tota communitas dicte ville veniunt et ponunt se in misericordia domini abbatis de Faveresham et ejusdem loci conventus propter transgressionem quas eis fecerunt, etc. . . .

Et quia alias inter predictos contentio orta fuit, . . . iudicium recognoscunt, cujus verba sunt hec: H. dei gratia, Vicecomiti Kanae, &c. Scias quod convictum est in curia nostra apud Westmonasterium coram venerabili patre in Christo Eboracensi archiepiscopo et aliis de consilio nostro quod, etc.

(Then follow various findings as to the customs.)

Si quis vero captus fuerit qui non tenuerit assisam panis iudicium suum recipiet in curia abbatis et faciet ibidem inde emendas per iudicium hominum de Faveresham. Et si quis non tenuerit assisam cervisie debet iudicari et emendas facere tam per iudicium hundredi quam per iudicium dictorum hominum de Faveresham. Omnes etiam ballivi ejusdem ville scilicet senescallus bedellus et thelonarius debent fieri per abbatem; aldermannus vero qui pro tempore erit debet eligi per predictam villatam et presentari abbati predicto debet et si idoneus fuerit predictus abbas illum recipiet: et aliis non admittetur. Omnes etiam mercatores de eadem villa qui non tenent de abbate in capite debent dare theolonium plus vel minus secundum suam mercandisam et de omnibus mercandis suis. Quedam vero Braciatrices debent dare Gavelsester, quedam vero non.

De quacunque etiam mercandisa que in villa venerit per mare vel per terram abbas semper habet et habere solet primam empcionem sicut dominus Rex illam habuit tempore quo abbacia illa fundata fuit. Omnes etiam querimonie et omnia attachiamenta in nundinis in villa in mercato et alibi ubicunque fuerint infra predictum manerium pertinent ad abbatem et ballivos suos. Omnes etiam de foro et omne dominicium in terris et in aquis in strando in viis et de placitis eorum in villa de Faveresham pertinet ad abbatem. Et omnia placita et emende sive sint de hominibus de Faveresham sive sint de mercatoribus forinsecis qui ibi venerint semper fuerunt ipsius abbatis et omnes abbates illa habuerunt a fundacione abbacie, unde si aliquis mercator vel aliquis extraneus ibidem venerit et fecerit querimoniam de aliquo de villa, si ibidem moram diu facere non possit, statim fiet ei emenda in curia abbatis per discrecionem xii. hominum de villa.— Si aliquis vero transgressus fuerit versus aliquos marinariorum, debet ei fieri emenda infra tercium retractum aque. Unde similiter consideratum fuit in eadem curia nostra quod predictus abbas recuperet seisinam suam de omnibus consuetudinibus et serviciis suis predictis et quinquaginta marois de dampnis suis. Et ideo tibi precipimus quod, etc. Rot. 7.

Assise, etc. coram H. le Bygod Justiciario Anglie, etc. anno xliii^o.

Suht'.

Ballivi et burgenses Suthampton queruntur de Gerardo la Grue senescallo electo Winton, et Nicholao Hachard, et Germano de Wautham quod cum ipsi habere debeant tronagium et pesagium in villa Suthampton tempore nundinarum Sti. Egidii, predicti Gerardus et alii in crastino exaltacionis Ste. Crucis, etc. venerunt ad villam Suthampton et ibidem ceperunt unum saccum lane etc., eo quod ipsi aliquam merchandisam tempore nundinarum fecerunt in predicta villa, etc. Et Gerardus et omnes alii venerunt, etc. Et bene defendunt quod ipsi non ceperunt predicta catalla: immo dicunt quod predicti ballivi tempore nundinarum Sti. Egidii tenuerunt forum et merchandisas suas fecerunt in villa Suthampton: ita quod ipsi accesserunt ad curiam domini Regis et ab ipso impetraverunt quoddam breve directum vicecomiti partium istarum scilicet Henrico de Ferleg' quod ipse amoveret burgenses predicti burgi quod ipsi nullum mercatum tenerent durantibus nundinis Sti. Egidii. Et si non cesserent quod ipse illos distringeret.

Et quod ita sit, ponit se super patriam, et ballivi et burgenses similiter. Et juratores de consensu partium electi dicunt super sacramentum suum, etc. predicti Gerardus et alii inde sine die et villa de Suthampton in misericordia pro falso clamio.—Rot. 10, in dorso.

Inquisicio facta de purpresturis factis super dominum Regem in civitate Winton'.

Juratores dicunt super sacramentum suum quod cum a tempore a quo non exstat memoria essent tres porte juxta mercatum Winton' per quas homines de patria cum carris et carectis suis venientes intrare solebant ad mercatum illud et pro quolibet carro et carecta dare consueverunt domino Regi unum obolum de theolonio, Et similiter quarta porta per quam homines ad predictum mercatum venientes eques et pedes solebant intrare et exire: Prior et monachi Sancti Swithuni

Winton' post festum, etc. obstruxerunt duas portas, etc. et etiam terciam portam, etc., per quod dominus Rex postea amisit theolonium suum predictum. Et hoc ad nocumentum et maximum detrimentum totius patrie et ad exheredacionem ipsius domini Regis, etc. Et quia predictae obstrucciones ita recenter facte fuerunt, etc., preceptum fuit vicecomiti et ballivis Winton' quod ad custum predicti Prioris et per visum juratorum, aperiri faciant predictas tres portas, ita quod sint in eodem statu in quo prius fuerunt etc. Postea venerunt predicti vicecomes et ballivi, et questi fuerunt quod cum ibi mitterent ad predictum preceptum exequendum, venerunt quidam monachi ejusdem prioratus induti vestimentis ecclesiasticis cum cereis accensis, et quidam laici de familia ipsorum cum eis et iidem monachi omnes qui ibidem ad executionem predicti precepti faciendum venerunt publice excommunicaverant.

Et ideo preceptum est ballivis ejusdem civitatis quod venire faciant in crastino omnes vicinos propinquiores per quos, etc., ad inquirendum inde rei veritatem, etc. Qui veniunt et dicunt super sacramentum suum quod Rogerus le Diabie Johannes de Oxonia sacrista Walterus de Oxonia, hostillarius Rogerus de Overton, etc. monachi ejusdem prioratus, venerunt albis induti cum stolis cruce candelabris et cereis accensis et pecierunt ab ipsis qui ibidem missi fuerant ad predictam executionem faciendam, per quem et ex cujus precepto ipsi ibidem accesserunt ad transgressionem illam faciendam qui responderunt quod ex precepto justiciarii et ex missione vicecomitis et ballivorum ibidem venerunt ad predictas portas aperiendas et iidem monachi ipsos statim et omnes per quorum preceptum et missionem ibidem venerunt ad hoc faciendum et omnes consencientes illi facto, tam communitatem Winton', quam alios . . . Dicunt etiam quod quidam de familia ipsorum monachorum cum ipsis ibidem scilicet Henricus persona ecclesie in cimiterio, Galfridus clericus, etc. et ipsi cum predicto Rogero le Diabie hutesium levaverunt super eos, sed dicunt quod idem Rogerus le Diabie monachus post predictam sententiam factam hutesium illud magna et alta voce primo levavit. Et ideo preceptum est vicecomiti quod omnes terras et omnia tenementa Prioris et conventus ejusdem prioratus capiat in manum domini Regis. Et similiter predictos Henricum personam et alios seculares qui predictae transgressioni interfuerunt sine dilacione capiat et eos salvo, etc. quousque, &c. Rot. 11.

Placita coram Rege Mich. 6^{to} xlv^o incipiente xlv^o
[Hen. III.]

Suht'.

Rogerus Noel et Johannes Fortin ballivi de Suthampton attachiati fuerunt ad respondendum burgensibus de Bristolia de placito quare ipsos compulerunt ad dandum theolonium pro mercimoniis suis in villa Suthampton contra libertates quas iidem burgenses habent per cartas Regum Anglie unde predicti burgenses de Bristolia queruntur quod cum ipsi pro totam terram Anglie Normannie et Wallie quieti esse debeant de theolonio passagio et omnibus aliis consuetudinibus per cartas Henrici Regis Anglie avi domini Regis in hec verba "Henricus Rex Anglie, etc. Sciatis "me concessisse burgensibus meis de Bristolia quod "quieti sint de theolonio et passagio per totam terram "meam Anglie Normannie et Wallie." Et predicti Rogerus et Johannes per vim et extorsionem compulerunt quendam Johannem Gillebert de Bristolia ad dandum theolonium et injuste extorserunt ab eo viii. solidos. Et Rogerus et Johannes veniunt et dicunt quod hic non debent inde respondere, quia dicunt quod dominus Rex qui nunc est eis concessit per cartam suam quod non, implacentur extra burgum suum. Et proferunt predictam cartam in qua continetur articulus predictus. Rot. 3.

Hunted'.

P. 151b.

Abbas de Rameseia attachiatus fuit ad respondendum burgensibus de Huntingdon de placito quare cum ad ipsos tam tempore nundinarum quam extra portinent theolonium in villa Sancti Ivonis predictus abbas per ballivos suos impediri facite eosdem burgenses eo quod ipsi burgenses theolonium illud capere non possint sicut debent & consueverunt. Et proferunt cartam Domini Regis que testatur "quod idem Dominus Rex "eis concessit & confirmavit quod illi in perpetuum "libere capiant totum theolonium infra villam Sancti "Ivonis & extra tam tempore nundinarum quam alio "tempore sicut iidem burgenses illud telonium plenius "perceperunt antequam Dominus Rex illud cepisset

"in manum suam." Et abbas venit & dicit quod predicti burgenses non debent capere theolonium toto tempore predictarum nundinarum quia idem abbas prima septimana predictarum nundinarum percipere debet totum theolonium per cartam Domini Regis. Et hoc predicti burgenses non possunt dedicere consideratum est quod predictus abbas inde sine die & predicti burgenses in misericordia pro falso clamio. Rot. 9.

Placita coram domino Rege in Octabis Sancti Michaelis anno regni Regis Henrici 1^{mo} incipiente li^o.

Hants.

Dominus rex per Nicholaum Martin qui sequitur pro eo optulit se versus abbatissam de Wherewell de placito quare levavit quoddam mercatum apud manerium suum de Wherewell ad nocumentum liberi mercati domini Regis de Basingestok: et abbatissa non venit: iudicium attachiata quod sit, etc.—Rot. 17. P. 163b.

Trin., 12 Edward I.

Hereford.

Juratores dicunt quod feria de Leymyenistr' levata per abbatem de Redinge in vigilia S. Michaelis et per iii. dies sequentes est ad nocumentum ferie domini regis de Hereford' que est in festo S. Dionisii. Ideo predicta feria de Leymenistr' penitus quassetur, etc.—Rot. 5. P. 206 b.

Mich., 17-18 Edw. I.

Norfolk.

Willielmus Belet implacitat Willielmum Rachith et vii. alios pro prostratione pillorii sui apud Geyton, ubi dominus rex Henricus, pater, &c., ei concessit mercatum singulis septimanis per diem Mercurii & feriam per iii. dies in festo S. Gregorii singulis annis. Misericordia. [Idem plenius termino Pasche, anno 18 Edw. I., Rotulo 3.] Rot. 14. P. 220.

Pasche, anno vicesimo secundo Edw. I.

Suffolk.

Ivo de Kenedon Petrus filius ejus et iii. alii eo quod impediverunt Ermetrudam de Saukeville Johannam que fuit uxor Ade de Cokefeld et Rogerum de Aspheale uti mercato suo in aliquo loco infra manerium suum de Debeham ubi illis placuerit, solvant dampna xl. solidos. Et predictus Ivo committitur marescallo et alii capiantur. Rot. 11. P. 233.

Assise Trinitatis anno xxvi. Edwardi I., apud Eloracum.

Burgenses Lenne implacitant burgenses Colecestrie pro capcione teolonii de ipsis super quo ballivi Colecestrie petunt liberatem suam, etc.—Rot. 22. P. 233b.
(Idem in Michaelis sequentia.—Rot. 35.)

Assise capte termino Trinitatis anno xxx^o Ed. I.

Wills.

Episcopus Sarum implacitatur per regem quod levavit mercatum in Remmesbyra ad nocumentum liberi mercati Regis in Marleberge. Episcopus profert cartam Regis Henrici de libertatibus ecclesie sue concessis, inter quas de mercato ibidem per diem Martis, modo non sit ad nocumentum vicinorum mercatorum: datum apud Westmonasterium anno xi. regni sui.—Rot. 28. P. 21a.

Assise Hillarii anno xxxi^o Ed. I. apud Westmonasterium coram rege.

Leic.

Abbas de Croxtone recuperat versus Rogerum de Saule et vi. alios dampnum v. librarum, eo quod non solverunt theolonea in feria ipsius abbatis in villa sua de Waltham.—Rot. 55. P. 249.

Trin., 35 Edw. I., apud Westmonasterium.

London.

Dominus rex constituit inter ceteros articulos, quos per cartam suam pro se et heredibus suis concessit mercatoribus extraneis et alienigenis, &c., quod in qualibet villa mercatoria et feria infra regnum, pondus regis in certo loco ponatur et ante ponderationem statera in presentia emptoris et venditoris P. 261.

vacua videatur; et quod brachia ejusdem statere sunt equalia; et extunc ponderator ponderet in equali; et cum statera posuerit in equali, amoveat manus suas, ita quod remaneat in equali; et precepit idem rex ordinationem predictam in omnibus inviolabiliter observari, &c. Tamen major et cives Londonenses eandem constitutionem noluerunt observare eo quod modus ponderandi averia ponderis ad civitatem London' venientia a tempore quo non exstat memoria, talis extitit et adhuc existit, quod statera semper trahit ad meliorem, hoc est, versus rem emptam; et eodem modo venduntur dicta averia archiepiscopis episcopis comitibus, &c. Et ista consuetudine et modo ponderandi antecessores sui usi fuerunt, &c. Set mercatores extranei et alienigenæ petunt quod mercimonia ponderentur secundum tenorem carte regis. Ideo mercatores ponderent de cetero in forma predicta, et dictum est prefatis majori et vicecomiti quod ordinationem predictam eisdem mercatoribus de cetero faciant in omnibus observari; et ad iudicium versus ipsos, &c.—Rot. 61.

Placita coram Rege, &c., Mich., 2^o Edw. II.

Sussex.

P. 263.

Juratores dicunt quod Nicholas ballivus Willelmi de Brewose per preceptum predicti Willelmi inhibuit hominibus suis de Shorham ne Roberto Agillun aut suis victualia venderent aut ipsos ad aliquas empciones vel vendiciones admitterent in predicta villa. Ideo Willelmus in misericordia, et Robertus recuperet dampnum i. marcam. Rot. 7.

Placita coram Domino Rege apud Westmonasterium de termino Sti. Trinitatis, a^o Edw. II. 8^o.

Kanc., Sussex, Surrey.

Quia ballivus Domini Regis distringit unum baronum. P. 321. Quinque Portuum apud Suthwerk capiendo de quolibet dossero alecis unum alec' et de quolibet dossero makerelli unum makerellum pro theolonio, Dominus Rex illi inhibuit per breve suum dictos barones pro theolonio distringere eo quod dicti barones per cartas suas immunes sunt per totam Angliam a prestatione theolonii. Et sic iudicium redditum hic per curiam pro baronibus et ballivus in misericordia. Rot. 63.

Placita coram Domino Rege apud Westmonasterium de termino Sancte Trini. anno regni Edwardi [II.] decimo septimo.

London.

xviii. carnifices de Estcheap implacitant Goscelinum P. 34. Le Serjant ministrum et firmarium vicecomitum Londonii de theolonio bladi et puletum in dicta civitate capiendo, pro eo quod ipse auctoritate sua propria colore officii sui per extorcionem et gravem districtionem cepit de quolibet eorum annuatim duos solidos pro shopis eorum, etc. Ipse dicit quod illos cepit ut pertinentes ad firmam vicecomitum, sicut alii firmarii colligere consueverunt a quolibet carnifice volente habere stallum suum extra domum suam pro carnibus superponendis et vendendis a tempore Regis Johannis. Et per juratam compertum est quod ipse Goscelinus non collegit dictos denarios primo, set quod collecti fuerunt plusquam xxiv. annos preteritos. Ideo predictus Goscelinus sine die, et predicti carnifices sint in misericordia.—Rot. 133.

IX.

ABBREVIATIO PLACITORUM.

EXTRACTS. TRANSLATIONS.

Pleas of Michaelmas Term, 4 John.

Suffolk.

P. 33.

The jurors say that the market of the bishop and monks of Ely at Lakengehay is to the nuisance of the market of the Abbot of St. Edmund in the town of Bury. (Roll 6d.)

Pleas taken at Bedford during the three weeks following Michaelmas Day, before Simon de Pateshull and E. de Faukenberg and their fellows, in the fourth year of the reign of King John.

The Hundred of Flitte.

P. 33 b.

The market of Luton has been changed from Sunday to Monday, and the market belongs to the Earl of Albemarle, and therefore let him be in mercy, and let the market be on Monday. (Roll 5.)

The Hundred of Wendelawe.

The market of Potton has been changed from Sunday And the market belongs to Earl David; and therefore let the vill be in mercy, and let the market be held on Saturday. (Roll 5d.)

Assizes, &c. 4 John.

Hundred of Corby.

P. 41.

The jurors say that the market of Rowell has been changed from Sunday to Saturday, and the market belongs to the Earl of Clare. Therefore he is in mercy, and the vill likewise; and let the market be on Monday. (Roll 1.)

The market of Bury has been changed from Sunday to Saturday, and it belongs to the Abbot of Bury. (Roll 2.)

Hundred of Hecham.

P. 41.

The jurors say that Geoffrey Cardun has levied new customs, otherwise than as he ought and as was accustomed, to wit, by taking of every cart passing through

his land in Winwyk with eels, a stick of eels; and of every cart of mullet, one mullet; and of every cart of salmon, half a salmon; and of every cart of herring, five herring. Whereas he ought not to take any custom of anything, except of salt passing through his land, that is to say, one boll of salt from each cart, and then the saltman ought to have a loaf for his salt; and besides, if the saltman's cartload was made up without any complaint, the saltman's horses ought to have pasture in the land of the said Geoffrey while he makes ready his cart. And Geoffrey comes and acknowledges that he takes the customs aforesaid, and says that he ought to take them, because he and his ancestors have taken from since the Conquest of England, &c. (Roll 2.)

Assizes and Pleas of the Crown.

Essoins taken at Lichfield in the fifth year of King John.

Stafford.

The market of Lichfield has been changed from Sunday to Friday, and therefore the vill is in mercy. P. 43. The market of Newcastle-under-Lyme has likewise been changed from Sunday to Saturday, therefore [the town is] in mercy. (Roll 2.)

Hundred of Seisdon.

The market of Wolverhampton has been changed from Sunday to Wednesday, and therefore the vill is in mercy. P. 43. (Roll 2d.)

Town of Stafford.

The jurors say that the assizes of cloth are not kept, and therefore the vill is [in mercy]. (Roll 3.)

Tamworth.

The jurors of Offelaw Hundred say that the bailiffs of Tamworth have taken toll of knights of the county of Stafford, as of oxen and other cattle, unjustly, and the men of Lichfield complain in like manner that they have taken toll of them also unjustly, and especially within the county of Stafford. And the bailiffs reply that they have not taken anything of

knights in the county of Stafford; and because they cannot gainsay the jurors, the bailiffs are in mercy.

As to the men of Lichfield, they say that they ought to have, and have had from the time of King Henry, toll of all of them, and especially of merchants as well within the county of Stafford as within the county of Warwick, &c. And the county records that the men of Lichfield did not in the time of King Henry give toll in the county of Stafford, and therefore the bailiffs are in mercy. (Roll 3.)

Borough of Tutbury.

They say that the market of Tutbury has been changed to another day, and the assise of cloth there is not kept. (Roll 3.)

Pleas of King John of uncertain date.

Pleas of the Crown in the County of Lincoln.

Wapentake of Kandelesho.

P. 71. In the vill of Wainfleet [it is found that] the market is attended on a day other than the accustomed day, and that the Prior of Kyme is the lord of the vill and market, and it is allowed on the part of the King by his justices that the said market may be on Tuesday, so that it be not to the damage of neighbouring markets. (Roll 1.)

Wapentake of Bolingbroke.

P. 71 b. The market of Bolingbroke is held on another day than the accustomed day, and that market belongs to the Earl of Chester. By [the King's] license let them have their market on Friday. The vill of Bolingbroke is in mercy for half a mark, and it is to be remembered that the vill is small and is almost wholly the demesne of the Earl. (Roll 2.)

Wapentake of Maule.

The market of Burton is changed from Sunday to Tuesday. One moiety of the market belongs to the Count of Bolonia, a fourth part belongs to Richard Wascelinus, and a fourth to Richard de Cestere. And he has made a fine [for the King's licence] in one mark, etc. (Roll 3d.)

Wapentake of Belteslawe.

The market of Edenham is wont to be held on Sunday and now it is held on Monday, and Nicholas de Stutevill is lord of the vill; and let the market be on Monday. (Roll 4.)

Wapentake of Lonedon.

The market of Lafford has been changed from Sunday to Thursday. Let the market be on Thursday. (Roll 5)

Hoiland. Hellog Wapentake.

P. 72. There was an ancient market at Fleet on Sunday and now it is transferred to Getenay, a vill of Fulke de Oiri, where there never was any market before; and Fulke pays one mark for leave to have the market as it now is till one month after the feast of St. Michael.

Lincolnshire Amercements.

Borough of Stamford.

Of the borough of Stamford for a foolish presentment and for the changing of their market [to another day] 20 marks, and also because they chose the poorer men of the town to present their verdict.

Pleas of Trinity Term, 14^o John.

Berks.

P. 88. The Abbot of Abingdon, being summoned to show what right he has in the fair of Salingsford, which Earl Albemarle says is to the damage of his fair of

Wanting, which he has of the gift of the King, says that he has there no fair, but he says that there is held there a certain gathering which is called a "wake," which was there from the time of the conquest of England, and whereof the Abbey of Abingdon was ever seised, &c. without toll or any other custom to be taken by the abbot or by his men; and so that the said abbot was seised thereof from the time when he was made abbot until the time when the earl had his fair, which fair obstructed the said gathering: yet nevertheless there was always selling and buying there, &c. And the Abbot of Beaulieu says, by a certain bailiff for him, that he has of the gift of the Lord King, at that wake a certain custom, to wit, of the salt which comes to it, and he does not join himself in their plea. (Roll 1d.)

Pleas before the King at Westminster. Mich., 25 Henry III.

Hereford.

Richard Moniword, Walter the Wanten, &c., were summoned to answer the Bishop of Hereford, as to why they sold their wares and merchandise in their houses in Hereford during the fair of the said bishop in that town, contrary to the franchises of the said fair granted to the said bishop by the charters of the King's predecessors Kings of England, and by the charter of the Lord King himself. Wherefore the said bishop says that whereas he has the said fair, &c. and a certain place is provided where all merchants ought to gather with their merchandise, and there buy and sell their merchandise, yet the said Richard Moniword and others have sold wool, hide, and other merchandise in their houses during the said fair, contrary to the franchises aforesaid. Wherefore he says that he suffers damage to the value of 40*l.* in the stallages, pesages, tolls, and other advantages which might have accrued to him if they had sold their goods in the place provided for the said fair, and thereof he makes his suit, &c.

P. 112.

And Richard Moniword and all the others come, &c. and they acknowledge that the said fair and all profits therefrom arising are the right of the said bishop, &c., so that on the eve of St. Albert when the said fair begins, the bailiffs of the said bishop ought to come to the bailiffs of the town of Hereford and to take over from them the whole care and charge of that city, and to have all attachments and power over all merchandise as well in houses as without, and that all plaints of all manner of forfeitures are to come before the bailiffs of the said bishop, and they are to do justice to all complainants, and are to receive the ameracements thereon during the said fair. But they say that they and other their fellows of the said city ought, and have always from ancient times been accustomed, even when the fair has been in the hands of the Lord King, to sell their fair-goods, and especially their wool, in their own houses, and when they have sold them they ought to bring the bailiffs of the bishop to receive the pesage thereof, and the toll and other customs which ought to accrue therefrom to the said bishop, so that the fact that they sell their merchandise in their houses ought to be no loss to the said bishop. And they crave the right to use their said custom as they have always been wont to use it, and they say that unless they may use that custom they will not be able to bear the burdens of their city.

And the bishop says that he has the said fair, &c., and that if the said Richard and other his fellows of Hereford may sell their wool and other merchandise in their houses, then they can by that means as often as they please conceal from him his pesages, tolls, and other profits which ought to come to him; and, moreover, stranger merchants will be able to hand over to them their merchandise to sell in their houses as their own, and so the bishop will lose his stallages, and they also may further conceal from him his pesages and other customs if they please; and thus the franchises granted to him, &c. may by the said custom be made wholly useless to the said bishop. And he craves judgment, because all the merchants assemble with their wares in the place provided for holding the fair, including even the merchants of London, who have greater liberties than other merchants, and because the defendants show no warrant whereby they, more than others, ought to sell their merchandise elsewhere than in the place where other merchants sell their merchandise.

And whereas the bishop says that because his bailiffs during the said fair came to the defendants' houses and demanded of them their toll, passage, and other customs of merchandise sold in their houses, the defendants threatened his bailiffs that they would beat them if they entered their houses, and thereof he makes his suit, &c.

And whereas they defend this issue against him and his suit.

Therefore it is adjudged that they wage their law therein, each with twelve men, and it came to trial on St. John's Day, &c.

Afterwards came R. Moniword and all the others, and made their law as was adjudged; and therefore let them all go free, and let the bishop be in mercy as against each of them; and a day was given to them and others of the same town to hear judgment, at the octave, &c. (Roll 27.)

Pleas before William, Archbishop of York, and the Council of the Lord King at Westminster. 26 & 27 Hen. III.

Surrey.

P. 119 b.

Ralph Dayres, the King's attorney, appeared against the bailiffs of Kingston, on a plea to show why, contrary to the franchises granted to the Bishops of London, they exact of the men of that bishopric toll and other customs, which they neither ought nor were accustomed to do, &c. (Roll 13, see Roll 17.)

Surrey.

P. 120.

The bailiffs of Kingston were attached to answer the Lord King on a plea to show why they exact toll and other customs of the men of the bishopric of London, which is in the King's hand, against the franchises granted to the Bishops of London; and that whereas the men of Fulham were wont to come to Kingston market to buy and sell freely, and without paying toll, the said bailiffs take toll of them, &c.

And the bailiffs reply that they take no tolls or other customs save as they ought to do, and they admit that the men of the said bishopric are to be quit of toll on all things which they buy for their own use, but not of those things which they buy for merchandise.

And Ralph Dayres, as the King's attorney, says that all the men of the said bishopric, as well merchants as others, ought to be free of all toll.

And therefore the sheriff is ordered to inquire, &c. (Roll 17.)

Worcester.

The bailiffs of Worcester were summoned to answer the Abbot of Abingdon on a plea to show why they took toll in the town of Worcester of the men of the said abbot, against the franchises which he has by his charters. And the bailiffs defend and say that these charters ought not to avail him, because they have always had toll of all the abbot's men whenever they bought or sold anything in the said town, whether for the use of the said abbot or for their own proper uses, &c. (Roll 17d.)

Pleas before the Council. Hilary, 38^o Henry III.

Essex.

P. 139.

Richard, Earl of Cornwall, by his attorney, &c., against Roger, Earl of Norfolk, of a plea to show cause why he hath erected a certain market at his manor of Chesterford, to the damage of the free market of the said Earl Richard at Newport. And Earl Roger doth not appear, &c. And he has been attached by Robert, the reeve of Cestreford, and Wm. of Cestreford.

Therefore he is put upon better bail that he shall be, &c. at a day, &c. (Roll 5d.)

Kent.

P. 140.

Richard son of Ivo and John FitzSimon, aldermen of the town of Faversham, and the whole commonalty of the said town, come and put themselves in the mercy of the Lord Abbot of Faversham and the convent of that place by reason of the transgressions which they have committed against them, &c. . . .

And whereas elsewhere a strife arose between the parties aforesaid . . . They acknowledge the judgment thereon given in the following words:—

Henry, by the grace of God, etc. . . . to the Sheriff of Kent, etc. Know ye that it was found in our

court at Westminster before the venerable father in Christ, the Archbishop of York and others of our Council, that . . .

If any is taken who has not kept the assize of bread, he shall receive his punishment in the abbot's court, and shall pay the penalty there by the judgment of the men of Faversham. And if any has not kept the assize of beer he ought to be judged and to pay the penalty as well by the judgment of the hundred as by the judgment of the said men of Faversham. Moreover, all the bailiffs of the said town, that is to say, the steward, beadle, and tollman, ought to be appointed by the abbot; but the alderman for the time being ought to be elected by the said town, and ought to be presented to the said abbot, and if he be a fit man, the abbot shall receive him; and otherwise he shall not be admitted to office. Moreover, all merchants of the said town who do not hold of the abbot in chief, ought to give toll, more or less according to their merchandise, and that of all their wares. And certain brewsters ought to pay gavelsester, but others not . . . And of all merchandise which comes into the town by sea or land, the abbot always has and is wont to have a preemption, as the Lord King had it at the time of the foundation of the abbey. And all plaints and all attachments in fair, and in town, and in markets and elsewhere, wherever they be within the manor aforesaid, pertain to the abbot and to his bailiffs. And all matters of the market place, and all demesne rights on land and water, on strand and on ways, and the pleas thereof in the town of Faversham belong to the abbot. And all pleas and penalties whether of the men of Faversham or of stranger merchants who come there, have ever belonged to the abbot, and all the abbots from the foundation of the abbey have held them, so that if any merchant or any stranger comes there and makes complaint against any man of the town, then if he cannot make any long delay he shall have amends forthwith in the abbot's court at the discretion of 12 men of the town. If any man has committed any offence against any mariners, amends should be made before the third ebb of the sea.

Wherefore it was likewise adjudged in our said court that the abbot recover his seisin of all his customs and services aforesaid and 50 marks for his damages, therefore order the sheriff, &c.

Assizes, &c., before H. le Bygod . . . 43 Henry III.

Southampton.

The bailiffs and burgess of Southampton make complaint of Gerard le Grue, steward elect of Winchester, and of Nicholas Hachard and of S. de Waltham, that whereas they ought to have tronage and pesage in the town of Southampton in the time of the St. Giles fair, yet the said Gerard and others on the morrow of the Exaltation of Holy Cross, &c., came to the town of Southampton and there took one sack of wool, &c., because they had done certain of their merchandise in the said town in the time of the said fair, &c.

And Gerard and all the others come, &c., and they answer that they did not take the chattels aforesaid, but they say that the said bailiffs in the time of the St. Giles' fair held a market, and made their merchandise in the town of Southampton, so that they went to the court of the Lord King and obtained of him a writ directed to the sheriff of these parts, that is, to Henry de Terlegh, that he should prevent the burgesses of the said town from holding any market during St. Giles' fair, and that, if they would not desist, he should distrain them.

And that it is so he puts himself on his country, and the bailiffs and burgesses in like manner. And jurors chosen by consent of both parties say upon their oath, &c. . . . Therefore let the said Gerard and the others go hence without a day and let the town of Southampton be in mercy for a false claim. (Roll 10d.)

An Inquisition made as to purprestures on the Lord King in the City of Winchester.

The jurors say upon their oath that whereas from before time of memory there were three gates next the market of Winchester, by which the men of the country coming with their carts and carriages were wont to enter in to that market, and they were accustomed to give for every cart and carriage a half-penny to the Lord King for toll. And in like manner

there was a fourth gate, by which men coming to the said market, both on horseback and on foot, were wont to go in and out. The prior and monks of St. Swithun, of Winchester, after the feast of, etc., closed up two of the said gates, etc. And also the third gate, whereby the Lord King thereafter lost his aforesaid toll. And this to the nuisance and great loss of the whole country, and to the disherison of the said Lord King, etc.

And since the said obstructions were so recently made, etc., the sheriff and the bailiffs of Winchester were ordered that at the cost of the prior aforesaid, and at the view of the jurors, they should cause the said three gates to be opened, so that they may be in the state in which they were before, etc.

Afterwards the said sheriff and bailiffs came and complained that when they sent there to execute the order aforesaid, there came certain monks of the said priory clothed in ecclesiastical vestments, with lighted candles, and certain lay folk of their house with them, and the said monks publicly excommunicated all who came there to carry out the said order.

And therefore the bailiffs of the said city were ordered to bring on the morrow all the near neighbours, by whom, &c. to inquire of the truth thereof, &c.

Who came, and say upon their oath that Roger le Diable, John of Oxford, sacristan, Walter of Oxford, the ostler, Roger de Overton, &c., monks of the same priory came wearing white stoles, with cross and candlesticks, and lighted candles, and asked those who were sent there to carry out the execution aforesaid, by whom and by whose order they came there to do the said trespass, who answered that by the order of the justices and by the commission of the sheriff and bailiffs they came there to open the said gates, and the same monks forthwith . . . them and all by whose order and commission they came there to do this, and all who were consenting to that action as well the community of Winchester as others. They say also that certain of the household of the same monks were with them there, to wit, Henry, the parson of the cemetery church, Geoffrey, the clerk, &c., and they, with the said Roger le Diable, raised a hue upon them; but they say that the said Roger le Diable was the first, after the said sentence was pronounced, to raise the said hue in a loud and high voice.

Therefore the sheriff is ordered to seize all the land and tenements of the same prior and convent into the hand of the Lord King, and to take the said Henry the parson and other lay folk who were present at the said offence without delay, and to keep them safely, &c., until, &c. (Roll 11.)

Pleas before the King. Mich. 44-45° Henry III.

Southampton.

P. 151.

Roger Noel and John Fortin, bailiffs of Southampton, were attached to answer the burgesses of Bristol of a plea to show cause why they compelled them to give toll for their merchandise in the town of Southampton against the franchises which the same burgesses have by the charters of the kings of England. Wherefore the said burgesses of Bristol complain that whereas they ought to be quit of toll and passage and all other customs throughout the whole land of England, Normandy, and Wales, by the charters of Henry, King of England, grandfather of the Lord King now, in these words:

"Henry, King of England, &c. Know ye that I have granted to my burgesses of Bristol that they should be quit of toll and passage throughout my whole land of England, Normandy, and Wales."

And the said Roger and John, by force and extortion, compelled one John Gilbert of Bristol to pay toll, and unjustly extorted from him 8s.

And Roger and John come and say that they ought not to answer thereof here, because the Lord King that now is has granted to them by his charter that they shall not be impleaded outside their own borough, and they produce the said charter in which is contained the article aforesaid. (Roll 3.)

Huntingdon.

P. 151 b.

The Abbot of Ramsey was attached to answer the burgesses of Huntingdon of a plea to show why, whereas the toll in the vill of St. Ives, as well during as beyond the time of the fair, belongs to them, yet the said abbot, by his bailiffs, causes the said burgesses to be hindered so that they cannot take the said toll as they ought and were wont to do. And they produce a charter of the Lord King, which witnesses "that the

"said Lord King has granted and confirmed to them "that they should freely take for ever the whole toll "within the vill of St. Ives and without the same, as "well at the time of the fair as at other times, as fully "as the said burgesses received the said toll before "the Lord King took it into his own hand."

And the abbot comes and says that the said burgesses ought not to take toll for all the time of the said fair, because the said abbot ought to take the whole toll for the first week of the said fair, by the charter of Lord King.

And the said burgesses cannot gainsay this. Adjudged that the abbot go without a day, and that the burgesses be in mercy for their false claim. (Roll 9.)

Pleas before the King. Mich., 51 Henry III.

Hants.

The Lord King, by Nicholas Martin, his attorney, P. 163 b. appeared against the Abbess of Wherwell on a plea to show why she has levied at her manor of Wherwell a market to the nuisance of the King's free market of Basingtoke. And the abbess does not appear. Judgment that she be attached, &c. (Roll 17.)

Trinity, 12 Edward I.

Herefordshire.

The jurors say that the fair of Leominster, erected P. 206b. by the Abbot of Reading on the Vigil of Michaelmas and the three days following, is to the damage of the fair of the Lord King at Hereford which is on the feast of St. Denys. Therefore let the fair of Leominster aforesaid be wholly quashed, &c. (Roll 5.)

Norfolk.

Wm. Belet impleads Wm. Rachith and seven others P. 220. for the levelling of his pillory at Geyton, where the Lord King Henry, the father of the now King, granted him a market on Wednesday in each week and a fair annually for three days at the feast of St. Gregory. Fined. [As to the same more fully in Easter term, 18 Ed. I., Rot. 3.] (Roll 14.)

Suffolk.

Ivo de Kenedon, Peter his son, and four others P. 233. summoned, because they hindered Ermintrude de Sankeville, Joanna, who was the wife of Adam de Cokefeld, and Roger de Aspehale, from using their market in any place where it might please them within their manor of Debehham; pay 40s. damages, and the said Ivo is committed to the custody of the marshal, and the others are to be arrested. (Roll 11.)

Assizes of Trinity, 26 Edw. I., at York.

The burgesses of Lynn implead the burgesses of P. 238. Colchester for the taking of toll from them; upon which the bailiffs of Colchester claim their liberty, &c. (Roll 22.) [The like in Mich. following. Roll 35.]

Assizes taken in the Term of Trinity, 30 Edw. I.

Wilts.

The Bishop of Salisbury is impleaded by the King P. 246. for that he has levied a market at Ramsbury to the nuisance of the King's free market in Marlborough. The bishop produces a charter of King Henry of the liberties granted to his church, amongst which there is a grant of a market there on Tuesdays, so that it be not to the nuisance of neighbouring markets. Dated at Westminster in the 11th year of his reign. (Roll 28.)

Assizes of Hilary, 31 Edw. I., taken at Westminster before the King.

Leicester.

The Abbot of Croxton recovers against Roger de Saule P. 249. and six others 5l. damages, because they did not pay tolls in the abbot's fair in his vill of Waltham. (Roll 55.)

Trinity, 35 Edw. I., at Westminster.

London.

P. 261 a.

The King enacted amongst other articles, which by his charter he granted for himself and his heirs to the foreign and alien-born merchants, &c., that in every merchant town or fair within the realm the King's tron should be set in a certain place, and, before weighing, the beam should be seen empty in presence of buyer and seller, and that the arms of the said beam be equal; and that thereafter the weigher should weigh equally, and when he has put the beam level he shall remove his hands, so that it shall remain on a level. And the said King ordered the ordinance aforesaid to be inviolably observed in all things, &c. And, nevertheless, the mayor and citizens of London have refused to observe the said constitution, because the method of weighing chattels of weight coming to the city of London hath from time beyond memory been and now is such that the beam always draws for the better, that is to say, against the thing sold; and in the same way the said chattels are sold to archbishops, bishops, earls, &c. And their ancestors have used this custom and manner of weighing, &c.

But the foreign and alien-born merchants pray that their merchandise be weighed according to the tenour of the King's charter; therefore let them weigh in future in the form aforesaid. And it is ordered to the said mayor and the sheriff that they cause the aforesaid ordinance to be observed for the future in all things unto the said merchants, and let there be judgment against them, &c. (Roll 61.)

Pleas before the King, &c., Mich., 2 Edw. I.

Sussex.

P. 263.

The jurors say that Nicholas, the bailiff of William de Bruce, by order of the said William, forbade his men

of Shoreham from selling victuals to Robert Agillon or to his men, or from admitting them to any buyings or sellings in the said town. Therefore let William be in mercy, and let Robert recover for damages 1 marc. (Roll 7.)

Pleas before the King at Westminster, Trin., 8 Edw. I.

Kent, Sussex, Surrey.

Whereas the bailiffs of the Lord King distrain one of the men of the Cinque Ports at Southwark, to wit, by taking of each basket of herrings carried on the back one herring, and of each basket of mackerel one mackerel for toll, the Lord King inhibited him by his writ from distraining the said men for toll, because the said men are by their charters free throughout all England from payment of toll. And judgment is given accordingly here by the court. (Roll 63.)

Pleas before the King at Westminster, Trin., 17 Edw. II.

Eighteen butchers of Eastcheap implead Goscelyn le Sergeant, the servant and farmer of the sheriffs of London, for taking toll of corn and poultry in the said city, because he by his own authority and under colour of his office by extortion and severe distress took of each of them yearly the sum of 2s. for their shops, &c. He says that he took these shillings as pertaining to the sheriffs' farm, even as from the time of King John, other farmers were accustomed to collect from every butcher wishing to have a stall outside his house for laying meat upon it and selling the same. P. 348.

And it was found by a jury that the said Goscelyn was not the first who collected the said moneys, but that they were collected for more than 24 years past.

Therefore let the said Goscelyn go without a day, and let the said butchers be in mercy. (Roll 133.)

X.

ROTULI HUNDREDORUM.

SPECIMEN EXTRACTS, WITH TRANSLATIONS.

(The marginal references give the pages of the first of the volumes issued by the Commissioners of Public Records.)

COUNTY OF BERKS.

HUNDRED OF GAMESFELDE.

Dicunt quod cum dominus Rex Henricus, pater [regis nunc,] habuit liberas nundinas semel in anno, scilicet in vigilia et die S. Fidis apud Sallingford sine tolreto, de quibus nundinis dominus Rex habuit perquisita ut de amerciamenis et hujusmodi; venit Fulco filius Warini vi et armis ad nundinas predictas et homines in predictis nundinis inventos contra regalem dignitatem ad manerium suum de Waneting fugavit, et quendam hominem apud Salling' nomine Seman interfecerit et easdem nundinas apud Waneting quolibet anno tenet et ibidem tolnetum capit que fuerunt apud Sallingford quieti de tolreto.

"The jurors say that whereas the Lord Henry the King, the father of the now King, had a free fair once in the year, that is to say, on the vigil and the day of Saint Faith, at Sallingford, without any toll, of which fair the Lord King had the profits, as of amerciaments and such like: Fulke Fitzwarren came to this fair with force and arms, and against the royal dignity drove the men whom he found in the said fair to his manor of Wantage and killed at Sallingford a certain man named Seman, and now holds the same fair every year at Wantage, and takes toll there, whereas it was at Sallingford quit of toll." Vol. 1, p. 11.

HUNDRED OF MORTON.

Item burgenses Wallingford non solebant capere tolnetum nisi de mercatoribus, modo contra antiquam libertatem suam capiunt tolnetum de hominibus patrie qui emunt blada et alia victualia ad instaurationem domus sue.

Also that the burgesses of Wallingford were not accustomed to take toll, save only of merchants, but now, contrary to their ancient franchise, they take toll of the men of the country who buy corn and other victuals for their household store. P. 2.

HUNDRED OF ROGEBURGH.

Dicunt quod Walterus Giffard, rector ecclesie de Wicham, tenuit quandam libertatem in nundinis Regis de Wicham a porta curie sue usque ad domum Gilberti Martyn, et nunc tenet magister Thomas Glover, sed nesciunt quo warranto.

They say that Walter Giffard, rector of the church of Wycombe, had a certain liberty in the King's fair of Wycombe, from the gate of his courtyard as far as the house of Gilbert Martin, and now Master Thomas Glover holds the same, but by what warrant they know not. P. 13.

BOROUGH OF WINDSOR.

P. 18.

Dicunt quod homines de villata de Over Hucham, Norway, Covele, Boveney, Burnham, et villa de Bekenefeld, in comitatu Buckingham semper solebant dare theolonium apud Windesore de omnibus merchandiis suis, que omnia subtrahuntur per Regem Alemannorum, et Willielmum Pasket ballivum suum

Item tota villata de Eton solebat dare tolnetum buste navium et omnia regale tangencia, que subtrahuntur per eundem Regem Alemannorum et Comitem Cornubie.

Item abbatisa de Burnham levavit quoddam mercatum apud Bekenefeld per xvi. annos, sed nesciunt quo warranto. Item eadem levavit alterum forum apud Burnham, in prejudicium Domini Regis et mercati de Windesore.

They say that the men of the vill of Over Hucham, Norway, Covele, Boveney, Burnham, and the vill of Beaconsfield, in the county of Buckingham, were always accustomed to give toll at Windsor of all their merchandise, all which are withdrawn by the King of the Germans and William Pasket, his bailiff

Likewise the whole vill of Eton was accustomed to give toll of ships and all dues touching the Crown, which are withdrawn by the King of the Germans and Earl of Cornwall.

Likewise the abbess of Burnham has raised a certain market at Beaconsfield for 16 years, but by what warrant they know not; and likewise she has set up a second fair at Burnham, to the prejudice of the Lord King and his market at Windsor.

BOROUGH OF WALLINGFORD.

P. 18.

Dicunt quod ballivi de Henle-super-Tamisiam ceperunt et adhuc capiunt teolonium injuste de hominibus Wallingford contra libertatem suam, quasi non timentes forisfacturam domini Regis decem librarum.

Dicunt etiam quod novum mercatum levatum est in Esthildesle per Emericum de S. Amando, dominum dicte ville, infra triennium proxime preteritum ad maximum nocumentum mercati domini Regis in Wallingford.

They say that the bailiffs of Henley-on-Thames have taken and still take toll unjustly of the men of Wallingford contrary to their liberty as if they were not afraid of the King's forfeiture of 10*l*.

And they say also that a new market has been set up in Esthildesle by Emeric de St. Amand, lord of the said vill, within three years last past, to the very great damage of the lord King's market at Wallingford.

COUNTY OF CAMBRIDGE.

HUNDRED OF WITTLESFORD.

P. 55.

Dicunt quod quedam mulier de Cumberton dedit Rogero Comiti Mareschallo, unum tenementum suum et de quolibet tenemento suo unum denarium per annum, ut essent sub protectione dicti comitis, et per hoc appropriat heres dicti comitis, qui modo est Comes, sibi libertatem, et distringit homines ejusdem honoris et alios forinsecos ad forum ejusdem ville venientes per totam villam de Ikellington, tam in foro quam in via regia et in commune per totum.

[The jurors] say that a woman of Cumberton granted to Roger Earl Marshal one tenement and a rent of a penny per annum from each of her other tenements, that they might be under the said earl's protection, and thereby his heir who now is earl appropriates to himself a franchise, and distrains the tenants of that honour, and strangers also who come to the town market, everywhere in the town of Icklington, as well in the market place as in the King's highway and everywhere.

DERBYSHIRE.

P. 58.

Quod Margareta de Ferrariis comitissa Derby clamat habere assisam panis . . . et mercatum apud Hertindon de dono domini Regis Henrici ultimi.

P. 61.

Item . . . Magistri Hospitalis [Sti. Johannis de Yeveleg] appropriant eis et attrahunt gentes de regali burgo de Esseburn . . . unde dominus rex perdit tolnetum et passagium . . . Et idem Magistri fecerunt sibi de novo signum ad sigillandum galones et bussellos sine warranto, ubi hii de burgo solebant habere signum . . .

They say that Margaret de Ferrars, Countess of Derby, claims to have assize of bread, and market at Hertingdon by the grant of Henry III.

The masters of the hospital of Yeveleg appropriate and attach to themselves men of the royal borough of Assheburn . . . whereby the King loses toll and passage. . . . And the same masters have made themselves of late a seal for stamping gallons and bushels, without warrant, whereas the men of the borough used to have the seal . . .

BOROUGH OF DERBY.

Dicunt quod ballivi abbatis Leycestrie et alii homines de eadem soka distringunt burgenses Derby apud Meleburn transeuntes versus forum de Bredon pro debito de quo non sunt debitores nec plegii, quod est contra cartam Regis Henrici illis concessam. Distringunt et eosdem ballivi de Thomas Touchet de Marketon eodem modo transeuntes versus forum de Esseburn quod est contra, etc.

They say that the bailiffs of the Abbot of Leicester and others of the soke distrain the men of Derby who pass by Meleburn going to the market of Bredon, for debt whereof they are neither debtors nor pledges, which is against the charter granted them by King Henry. And the bailiffs of Thomas Touchet of Marketon also distrain them in like manner in passing to the market of Assheburn, which is against, etc.

DEVONSHIRE.

BOROUGH OF BARNSTAPLE.

P. 63-4.

Dicunt quod prior de Frompton habet . . . teolonium in manerio suo de Norham et hoc de novo, et capit teoloneum de hominibus predicti burgi injuste ad grave dampnum burgi quo warranto ignorant.

The jurors say that the prior of Frompton has toll in his manor of Norham, and that of late only, and takes toll of the men of the said borough wrongfully, to the great damage of the borough, by what warrant they know not.

BOROUGH OF BIDEFORD.

Dicunt et quod Richardus (de Greyville) habet forum in burgo de Bideford per diem Lune et nundinas in manerio de Bideford in vigilia S. Margarete Virginis et in die, per quod warrantum nec quo tempore nesciunt.

They say that Richard de Greville has a Monday P. 4. market in the borough of Bideford, and a fair in the manor of Bideford once in each year on the eve and day of S. Margaret, by what warrant or since what time they know not.

HUNDRED OF BAMPTON.

Item quod dominus Nicholaus filius Martini tenet Combe Martin de domino Rege quasi membrum baronie sue . . . et habet feyram et marcatum et warennam per cartam sibi concessam per dominum Henricum Regem patrem regis nunc.

Also that Nich. Fitz Martin holds Combe Martin of P. 66. the King as member of his barony . . . and has fair and market by charter granted him by Henry [III.] father of the now King.

CITY OF EXETER.

Dicunt quod quedam feria in festo S. Petri ad Vincula in suburbio ejusdem civitatis quondam pertinebat ad eandem civitatem et ad coronam domini Regis, cujus ferie unam medietatem tenet nunc Amicia comitissa Devon . . . et antecessores . . . eandem medietatem antiquitus tenuerunt, scilicet a tempore quo non extat memoria, quo waranto nesciunt. Et medietas altera predictae ferie remansit in manibus domini Regis et civium suorum Exon' quousque dominus Johannes Rex eandem tradidit Priori et Conventui S. Nicholai Exon', quo warranto nesciunt.

They say that a fair in the suburbs of Exeter on the P. 70. feast of S. Peter ad Vincula formerly belonged to that city and to the Crown; but of that fair one moiety is now held by Amicia, Countess of Devon . . . and her ancestors held it from ancient times, that is from a time beyond memory, by what warrant the jurors know not. And the other moiety of the said fair remained in the hands of the Lord King and his citizens of Exeter, until King John gave it over to the Prior and Convent of S. Nicholas at Exeter, by what warrant the jurors know not.

HAYTORR.

In manerii de Wollburghe et quaedam villa nova in qua Abbas de Thore et Conventus habent nundinum et mercatum et placitant assisas panis . . . per cartam domini Regis Johannis et Regis Henrici.

In the manor of Woolbridge is a new town, in which P. 72. the Abbot and Convent of Torr hold a fair and market and pleas of assise of bread . . . by charter of King John and King Henry . . .

BURGUS DE PLYMPTON.

Dicunt quod Hospitalarii de Hospitulo S. Johannis de Jerusalem recolligunt sibi diversas gentes portantes eisdem chevagium, vel redditum ob salutem animarum predecessorum suorum, qui clamant habere libertates emendi vendendi sive tollo in burgis et feyris et mercatis, in prejudicio domini Regis et comitum suorum etc.

Item dicunt quod ballivus comitissae Insule implacitat piscatores qui vendunt piscem ante horam primam set nesciunt quo warranto, &c.

They say that the Hospitallers of S. John of Jeru- P. 77. salem gather to themselves sundry people, who pay them "chevage," which is a certain rent for the good Cl. p. 83 & P. 86. of the souls of their ancestors, and that such people claim to have liberty of buying and selling without toll in boroughs and fairs and markets to the prejudice of the Lord King and his earls, barons, &c. . .

Likewise they say that the bailiff of the Countess de l'Isle impleads fishermen who sell their fish before the hour of prime, but they know not by what warrant, &c.

HUNDRED OF STANBURG.

Dicunt quod . . . manerium de Churestowe tenet Abbas de Buffestr' . . . in quo manerio est novus burgus qui respondet pro se per vi. marcas, et tenent mercatum die veneris &c. . . quo warranto ignorant.

Jurati Burgi de Tavistok dicunt quod Abbas de Tavistok habet mercatum in eodem burgo et nundinas semel in anno, set nesciunt quo warranto.

They say that the Abbot of Buckfast holds the manor P. 78. of Churstowe . . . in which there is a new borough Cl. p. 91. which is assessed separately at 6 marks, and they hold a Friday market, &c. . . but by what warrant the jurors know not.

The jurors of the borough of Tavistock say that the Abbot of Tavistock has market in that borough, and a fair once in the year, but by what warrant they know not.

HUNDRED OF SOUTH MOLTON.

Dicunt . . . quod villa de Soutmoton est domini Nicholai [filii Martini] . . . et habet ibidem nundinas qualibet anno ad Assumpcionem Beate Marie, et forum qualibet ebdomada per Sabbatum, &c.

Dicunt quod quidam tenentes de la Novelevile in parte pertinente ad manerium de Teyngewyk clamant habere burgum et forum et assisam panis . . . de novo tempore domini Henrici Regis patris Regis nunc, quo warranto ignorant.

They say that the town of South Molton belongs to P. 80. Nicholas FitzMartin . . . and he has there a fair each Cl. p. 82. year on the Assumption of St. Mary, and a weekly market on Saturday . . .

They say that certain tenants of the new town in that P. 82. part which belongs to the manor of Tengewyk, claim to have a borough and market and assise of bread . . . from recent times, that is, from the time of King Henry III., by what warrant they know not.

HUNDRED OF WYNKELEGH.

Hugo de Curtenay . . . habet nundinas . . . apud Chulmeleg, et . . . Robertus filius Pagani eodem modo apud Wyrugg habet nundinas, set non habet warrantum. Item Petrus de Sidcham habet nundinas apud Rakeneford quo warranto nesciunt.

. . . H. de Courtenay . . . has a fair at Cholmeley, P. 87. and Robert FitzPagan in like manner has fair at Wyrugg, but he has no warrant. Likewise Peter de Sideham has fair at Rakenford, by what warrant they know not.

LEICESTERSHIRE.

HUNDRED OF GUTHLACISTON.

P. 237-40.
P. 236b.

Dicunt quod Stephanus Pistor et Johannes Billing, firmarii mercati de Bosworth, Nigellus Faber, Ranulphus Faber, Adam de Brett, firmarii de Lutterworth, capiunt tolnetum de blado empto in dictis mercatis ad seminandum et comedendum, et aliis minutis rebus de quibus teoloneum non solet dari.

The jurors say that Stephen Baker and John Billings, farmers of the market of Bosworth, and Nigel Smith, Ralph Smith, and Adam de Bret, farmers of Lutterworth, take toll of corn which is sold in the said markets for seed and food, and of other small matters of which toll is not accustomed to be given.

HUNDRED OF FRAMLAND.

P. 240a.

Dicunt quod Rogerus le Strange, qui habet custodiam terrarum Rogeri de Quency Mubray, tradidit nundinas de Meuton ad firmam Radulpho de Graham et cum predictae nundine non debent esse nisi semel in anno, tenet eas bis et tunc duplicat teoloneum suum per xv. dies cum hec non debent facere nisi per duos dies.

The jurors say that Roger le Strange, who has the custody of the lands of Roger de Quincy Mowbray, has made over the fair of Meuton to Ralph de Graham at farm, and that whereas the said fair ought not to be but once in the year, he holds it twice, and then he doubles his toll for 15 days, whereas he ought not to do it but for two days.

LINCOLNSHIRE.

THE WAPENTAKE OF ASWARETHRYNE.

P. 246a.

"De hiis etiam qui habent libertates per Regem Anglie concessas et eis aliter usi fuerint etc." [Cap. 8.] Episcopus Lincolnensis habens mercatum in villa Lafford ex concessione Regis, capit tolleragium ab indigenis et liberis hominibus patrie ut de cibariis utensilibus minutis ultra debitum modum et usus est hujusmodi injusta capcione tempore Hugonis de Well' Episcopi et lovabatur per Alanum de Baketon tunc ballivum episcopi scilicet tempore Henrici Regis ultimi ad dampnum patrie dimidium marce per annum sine warranto.

Chapter 8. "Of those also who have franchises granted to them by the King of England, and have used them otherwise than as they were granted."

The Bishop of Lincoln, having a market in the vill of Lafford, by the grant of the King, takes toll of native-born inhabitants and freemen of the country, as of small requisites of food, beyond due measure, and he has used this manner of unjust taking in the time of Bishop Hugo of Wells, and it was levied by Allen de Baketon, then bailiff of the bishop, to wit, in the time of the last King Henry, to the damage of the country in half a mark per annum without warrant.

WAPENTAKE OF AVELAND IN KESTIVEN.

P. 256a.

Dicant quod Baldwynus Wake clamat habere forum et assisam panis et cerevisie et furcas et garennam in Brunn' a quo tempore et quo warranto nesciunt.

The jurors say that Baldwin Wake claims to have market and assize of bread and beer, and gallows, &c. in Brunn, from what time and by what warrant they know not.

In a note: (Deadvoat habere returnum et extractum brevium. Ostendit cartas Regis Anglie. Ideo quietus.)

In a note: [He disclaims having return and extract of writs; shows charters of the King of England; therefore quit.]

Item dicunt quod Gwydo Gubond clamat habere forum et nundinas et assisam panis et cerevisie in Repinghal et garennam a tempore quinque annorum per cartam domini Regis Henrici patris Regis qui nunc est.

Likewise they say that Guy Gubond claims to have market and fair and assize of bread and beer in Repinghal and Warren for five years past by charter of the Lord King Henry, the father of the now King.

(Non clamat.)

In a note: [He does not claim.]

Item dicunt quod Prior de Sepingham clamat habere nundinas Vigilie Sti. Johannis Baptiste ad ecclesiam de Stowe a quo tempore et quo warranto nesciunt.

Likewise they say that the Prior of Serpingham claims to have . . . a fair on the Vigil of St. John the Baptist, at the church of Stowe, from what time and by what warrant they know not.

(Ostendit cartas. Ideo quietus.)

In a note: [Shows charters; therefore quit.]

Item dicunt quod Gilbertus de Gaunt clamat habere forum in villa de Folkingham et assisam panis . . . a quo tempore et quo warranto nesciunt.

Likewise they say that Gilbert de Gaunt claims to have market in the vill of Folkingham, and assize of bread from what time and by what warrant they know not.

(Nichil de hoc quia de longinquo tempore.)

In a note: [Nothing of this, because ancient.]

Item dicunt quod Henricus de Lascy comes Lincolnie clamat habere forum in villa de Swaneton et nundinas die translationis Beati Thome Martiris et assisam panis . . . a tempore xxx. annorum sed quo warranto nesciunt.

Likewise they say that Henry de Lacy, Earl of Lincoln, claims to have market in the vill of Swaneton, and a fair on the day of the translation of St. Thomas the Martyr, and assize of bread, &c. for 30 years past, but they know not by what warrant.

(Habet returnum per Regem, et preterea habet cartam Regis.)

In a note: [He has return of writs by leave of the King, and besides that he has the King's charter.]

WAPENTAKE OF BRADEL.

P. 263b.

Dicunt quod burgenses de Grimesbi, scilicet Petrus le New, Edmundus del Fal, Willelmus Faunk, Johannes Reiner, Petrus le King, Willelmus Agge, Stephanus New, Rogerus Carter, aliter usi sunt libertates suas quam debuissent secundum marchandisas ad portum suum de Grim' eo quod non permittunt pauperes homines de Grim' habere communitatem cum eis emendi et vendendi secundum libertates eis concessas.

They say that the burgesses of Grimsby, that is to say, Peter le New, William Faunk, John Reiner, Peter le King, William Agge, Stephen New, and Roger Carter, have used their liberties otherwise than as they ought in their merchandise at the port of Grimsby because they do not suffer the poor men of Grimsby to buy and sell with them in common according to the liberties granted to them.

VILL OF CAISTOR . . . IN LINDSEY.

Dicunt quod Hugo de Beaumes habet forum in Magna Limbergia quod est de dominico Regis in prejudicium Regis et tenentium ipsius in Caistre recipiendo tonnagium de tenentibus domini Regis in eadem ad dampnum eorundem per annum v. s. et hoc dampnum eisdem fecit per xii. annos quo warranto nesciunt.

In a note: (Postea venerunt homines de Soca de Caistre et calumpniaverunt predictum mercatum de Limberge quia dixerunt quod est ad nocumentum mercati sui de Caistre et petunt inde remedium quod Rex perquirat breve sumptibus eorum etc.)

Also they say that Hugh de Beaumes has a market in Great Limberg, which is the King's demesne, to the prejudice of the King and his tenants of Caistor, taking tonnage of the King's tenants there, to their damage in 5s. yearly, and this he has done for 12 years, by what warrant they know not. P. 206a.

In a note: [Afterwards came the men of the Soke of Caistor, and complained of the said market of Limberg, for they said that it is to the nuisance of their market of Caistor, and they crave redress that the King should issue a writ at their cost, &c.]

WAPENTAKE OF FLAXWELL IN KESTEVEN.

Dicunt quod episcopus Lyncolie habet forum apud Lafford et capit toltagium contra jura regia et consuetudines de rebus minutis, ut de lino carcosibus bovinis et multonum et de corbellis minutis et de seminibus et aliis hujusmodi extra merchandisam, quo warranto nesciunt. A quo tempore, dicunt quod tempore Hugonis de Well' episcopi, et levabatur hujusmodi toltagium per Alanum de Baketon tunc ballivum domini episcopi et dictum toltagium capit injuste et contra coronam jam elapsis xl. annis et amplius.

Also they say that the Bishop of Lincoln has a market at Lafford, and takes toll contrary to the King's right and takes customs of small wares, as of flax, and carcass of oxen and sheep, and small baskets, and of seed and other such matters that are not merchandise by what warrant they know not: and concerning the time thereof, they say that it was in the time of Bishop Hugh of Wells, and the toll was levied by Allen de Baketon, then bailiff of the Lord Bishop, and he takes the said toll unjustly and against the right of the Crown these 40 years past and more. P. 206b.

VILL OF GRAHAM IN KESTEVEN.

Dicunt quod comes Warren' habet easdem libertates apud Graham que Rex habuit Capiunt et tronagium et jam ceperunt per v. annos et inde habent cartam Regis Henrici patris Regis nunc.

Earl Warren has the same liberties at Graham which the King had, and they take tronage and have taken it for five years and have for it a charter of King Henry III. P. 206c.

Item dicunt quod Simon Wachet apud Holm observavit communem viam regiam per catenam ferream ad dampnum ville et patrie dimidium marce et capit tholoneum ad suam voluntatem, nesciunt quo warranto.

[The jurors] say that Simon Wachet at Holme obstructed the King's highway by an iron chain to the damage of the town and country one half mark and took toll at his will they know not by what warrant. P. 207.

Dicunt quod Rogerus de Stowe ballivus comitis Lincolie et ceteri ballivi cum soka de Thoresby impediunt et distringunt homines domini Regis de Grimsby tam in via regia quam extra feoda sua quin possunt libere transire et redire ad villas mercatorias vel alibi ad negotiationes suas faciendas quo minus distractiones ab eisdem capte ad eorum voluntatem plenarie fuerint redempte.

They say that Roger de Stowe, bailiff of the Earl of Lincoln, and the rest of the bailiffs, with the Soke of Thoresby, harass and distrain the King's men of Grimsby, both on the King's highway and beyond their fees, so that they cannot freely pass and return to the merchant towns or elsewhere for the doing of their merchandise until the distraints taken by the same bailiffs at their will are redeemed in full. P. 208a.

Dicunt etiam quod ballivi et homines domini Walteri de la Linde per preceptum Johannis Malet seneschalli sui et antecessorum suorum de Leysebi similiter modo distractiones faciunt et fecerunt de hominibus de Grimsby &c. Insuper illos imprisonant et pisces et allecia sua capiant et retinent sine deliberatione aliqua donec fiant putrida.

They say also that the bailiff and men of Lord Walter de la Linde by order of John Malet, steward of himself and of his predecessors at Leysebi, in like manner make and have made distraints upon the men of Grimsby, &c. And further that they imprison them and take their fish and herrings, and retain the same without any delivery until they are rotten.

Simili modo Robertus de Dunham super Trente ballivus Willielmi de Valence de Geynesburg similes facit et capit distractiones in liberam aquam de Trent, et insuper levavit consuetudinem novam in predictam aquam et in villa de Geynesburg' quod vocatur stallagium in prejudicium regis que nunquam fuit levata ante tempus suum.

In like manner Robert of Dunham-upon-Trente, bailiff of William de Valence of Geynesburg does the same and takes distraints upon the free water of Trent, and further has raised to the damage of the King upon the aforesaid water and in the vill of Geynesburg a new custom which is called stallage which was never raised before his time. P. 208b.

Wapentak de Kirkethon in Holond. [Cap. 9.]

Dicunt quod Robertus Grilley heres Roberti Grilley non habuit tonnagium in villa de Swin' nisi in vigilia S. Mathei Apostoli et die S. Mathei et die sequenti: custos ejusdem heredis per Edmundum fratrem regis, videlicet Henricus le Waleis et sui capiunt tonnagium per quemlibet diem Jovis et hoc fecerunt xx. annis elapsis et amplius quo warranto nesciunt ad dampnum patrie xx. s. per annum.

Dicunt quod quedam barrera est facta in quadam aqua de Swin' et sustentata per dictum Robertum et custodes ubi nullus potest transire sine tonnagio quia omnes dant tonnagium ibidem transeuntes: et facta fuit predicta barrera xv. annis elapsis ad dampnum patrie xx. s. per annum, sine warranto.

Wapentake of Kirkethon in Holond. .

P. 208c.

They say that Robert Grilley, heir of Robert Grilley, had not tonnage in the vill of Swin, save on the eve of S. Matthew the Apostle, and on the day of S. Matthew, and the day following, but that the guardian of the same heir by the gift of Edmund the King's brother, to wit, Henry le Waleis, and his men, take tonnage on every Thursday, and have done this for 20 years last past and longer, by what warrant the jurors know not, to the damage of the country 20s. per annum.

The jurors say that a certain bar has been made in a certain water of Swin, and there maintained by the said Robert and his guardians, where no man can pass by without tonnage because all who pass that way pay tonnage; and the said bar was made these 15 years past, to the damage of the country in 20s. per annum without warrant, P. 208d.

LINCOLN.

P. 306.

Dicimus quod cum cives Lincolie habent libertatem quod nulla trona levare debet in comitatu Lincolie nisi in Lincolia tantum, super hoc burgus per dominum de Graham tempore domini Johannis Comitis de Warren vii. annis elapsis levaverunt tronum in villa de Graham, quod est quoddam pondus quo lana ponderatur, in prejudicium domini regis et dampnum civitatis Lincolie x. libras per annum, quo warranto nescimus.

Item eodem modo homines de Stowe in tempore episcopi Lincolie qui nunc est xii. annis elapsis levaverunt tronum in prejudicium domini regis et dampnum civitatis Lincolie dimidium marce per annum, set quo warranto nescimus.

Item abbas de burgo S. Petri et ballivi sui levaverunt et ceperunt novum theolonium, in tempore regis Edwardi qui nunc est ad festum S. Petri anno regis ejusdem Edwardi secundo, apud Soot' de hominibus Lincolie ibidem ad forum venientibus qui nunquam theolonium ibidem dederunt. Quo warranto nescimus.

P. 316.

Item dicimus quod burgenses de Beverlaco subtrahunt debitas consuetudines ad firmam domini regis pertinentes, scilicet antiquum theoloneum de omnibus marchandisiis suis per civitatem Lincolie transeuntibus, &c.

P. 317a.

Item dicimus quod ballivi Episcopi de Carliol . . . capiunt injuste theoloneum de civibus Lincolie ad quolibet bindo pellium ovium ii. s., qui quidem bindus continet triginta et duo pelles, ubi solebant capere de centena pellium non nisi denarium tantum, quo warranto nescimus, in prejudicium regis et dampnum civitatis per annum x. marcas, et nihilominus firma domini regis de Lincolie est integre soluta, propter quod qui semel fuerint ballivi de Lincolie vix possunt relevare de paupertate vel miseria.

P. 320.

Item dicimus quod cum omnes cives Lincolie fuerunt liberi de omnibus consuetudinibus et demandis in omni tempore in nundinis Sancti Botulphi, quousque dominus Petrus de Saway tunc dominus nundinarum tempore suo dictos cives occupaverit de die in diem et aggravavit per potestatem suam et domini Wychari militis et Ricardi Lowe ballivorum suorum pro pecunia sua habenda, et cum dicti cives retraxerint se de dictis nundinis, quousque remedium a domino Regi impetraverunt, interea venerunt Willielmus filius Egidii tunc major Lincolie et Jordanus frater ejus et Thomas filius Roberti Walterus Brand per potestatem suam concesserunt predicto domino Petro de Saway unam cartam annui redditus x. librarum, sine assensu et consensu communitalis Lincolie, jam xiv. annis elapsis, in prejudicium Regis et dampnum civitatis c. librarum. Et dictus Jordanus filius Egidii tunc dixit coram communitate Lincolie quod daret ex catallis suis propriis pro semetipso x. libras, antequam perderet nundinas suas de Sancto Botulpho.

We say that whereas the citizens of Lincoln have a liberty that no tron ought to be levied in the county of Lincoln save in the town of Lincoln only, nevertheless the burgesses by the lord of Graham in the time of John Earl Warren these seven years last past have levied tron in the vill of Graham, which is a certain weight whereby wool is weighed to the prejudice of the Lord King and the damage of the city of Lincoln in 10*l.* per annum, by what warrant we know not.

Likewise in the same manner the men of Stowe in the time of the Bishop of Lincoln that now is for 12 years last past have levied tron to the prejudice of the Lord King and the damage of the city of Lincoln in 10*l.* per annum, by what warrant we know not.

Also the Abbot of Peterborough and his bailiffs have levied and taken a new toll . . . at Scot' from the men of Lincoln going there to the market, who never have paid toll there, by what warrant we know not.

Also we say that the burgesses of Beverley have withdrawn their due customs pertaining to the King's ferm, to wit, the ancient toll of all their merchandises passing through the City of Lincoln, &c.

Also we say that the bailiffs of the Bishop of Carlisle, . . . take toll unjustly of the citizens of Lincoln 2*s.* for every bundle of sheepskins, each bundle containing 32 skins, whereas they used to take one penny only for a hundred skins, by what warrant we know not, to the prejudice of the King and the damage of the city of Lincoln in 10 marks yearly, and yet the King's ferm for Lincoln is paid in full, wherefore they who have once been bailiffs of Lincoln can hardly rise from poverty and misery.

Likewise we say, that whereas all the citizens of Lincoln were free from all time of all customs and demands at the fair of St. Botolph, until the Lord Peter de Saway, then lord of that fair, attacked the said citizens in his time from day to day, and oppressed them for the obtaining of his money by his power, and by the power of the lord Wychar and Richard Lowe his bailiffs; and when the said citizens withdrew themselves from the said fair while they obtained a remedy from the King, in the meantime came William, the son of Giles then Mayor of Lincoln, and Jordan his brother, and Thomas the son of Robert, and Walter Brand, and by their power they conceded to the said Lord Peter de Saway a charter for an annual rent of 10*l.* without any assent or consent of the commonalty of Lincoln, now 14 years past, to the prejudice of the King, and the damage of the city of 100*l.* And the said Jordan, the son of Giles, at that time said before the commonalty of Lincoln that he would give out of his own chattels for himself 10*l.* before he would lose his fair of St. Botolph.

XI.

ROTULI PLACITORUM DE QUO WARRANTO.

SPECIMEN ANALYSIS of ENTRIES as to FAIRS and MARKETS, with EXTRACTS.

[In this summary, M. = "market claimed." F. = "fair claimed." D. = "disclaimer by party summoned." P. = "claim proved." R. = "claim rejected." A. = "claim adjourned" (for a jury, or for further argument or evidence, as the case may be).

The references in the first column give the pages of the published Placita de Quo Warranto.]

COUNTY OF BEDFORD.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Placita de Quo Warranto, 15 Edw. I., P. 1, Rot. 1.	Old Woburn.	Abbot of Woburn.	M.	Friday (at their Chapel of Old Woburn).	- - -	Ch. 12. Ed. I. 12 April.	P.	The abbot produces a charter of Hen. I. granting "Soc, Sac, Tol, and Theam" to the abbey, but the right to fair and market is not pleaded as having any connexion with this.
			F.	- - -	Eve, day and morrow of the Exaltation of the Cross.			
2, Rot. 1 d.	Hallwell.	Prioress of H.	To be quit of Toll.	- - -	- - -	Ch. 19 Hen. III. April 30.	P.	
2, Rot. 1 d.	Potton.	W. de Latimer.	"Free market"	Saturday	- - -	Prescription as appurtenant to the Manor.	(Default on first inquiry) P.	Jury find immemorial user, but also find the value of the market, along with three other franchises, to be only 4s. a year.
3, Rot. 2.	Wahulle.	J. de Wahulle.	M.	Thursday	- - -	Ch. 29 Hen. III. Jan. 20, was pleaded on the first trial, but on the later trial prescription only.	P.	The jury in the second trial find that the franchises have been misused by punishing the transgressors of the assize of bread and beer improperly.
3, Rot. 2.	Leighton Bussard.	Abbess de Fontevraud.	F.	- - -	Eve, day and morrow of S. Dunstan.	Ch. 40 Hen. III. Jan. 20.	P.	The manor is said to be ancient demesne, and the abbess, in answer to interrogatories, says that she takes standard from the king's marshal, and that she levies fines of weights and measures, referring these to a Ch. of King John.
6, Rot. 4 d.	Melchburne.	Prior of the Hosp. of St. John of Jerusalem in England.	M.	Friday	- - -	Ch. 40 Hen. III. Nov. 14.	P.	The Charter provides that it shall be valid notwithstanding non-user, unless the M. and F. be to the damage of any neighbouring M. and F.
			F.	- - -	Eve, day and morrow of S. Mary Magdalen.			
6, Rot. 5.	Camelton and Chiford (Shefford).	Warren de l'Isle.	M.	Friday, "at a place which is called Schyford."	- - -	Ch. Hen. III. Feb. 13.	P.	Answers that he takes standard, fines of measures and weights, these being stated as in right, not of the Market but of the view of frankpledge.*
13, Placita de Ragemannia, Rot. 10.	Bickeslade.	Bishop of Lincoln.	M.	Monday	- - -	Ch. Hen. III.		
			F.	- - -	Eve and day of the Exaltation of the Cross. Prescription.	- - -	A.	
13, Placita de Ragemannia, Rot. 10.	Borough of Dunstable.	Prior of Dunstable.	M.	Wednesday and Saturday.	-	Ch. of 1 Ric. I., 3rd July, and also a foundation ch. of Henry I.†	P.	The Ch. of 1 Ric. I., granted the whole borough of Dunstable, with Soc, Sac, Tol, Theam, &c., to the prior, and was alleged as the title the first-mentioned, M. and F., but not to the second Fair.
			F.	-	Aug. 1 (or S. Peter ad Vincula.)	At first inquiry the Charter is pleaded; but at second inquiry seisin before time of memory is the only title relied on.	P.	
			F.	-	10, 11, 12 May	Ch. 5 John, July 1.	P.	

* So in other manors in this county.

† This charter granted the King's vill of D. and its market with all liberties and free customs, and "ordered that all who should come to the market of D. should have the King's firm peace in going and returning, and that none should disturb them unjustly on pain of the forfeiture of ten pounds."

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 17, Rot. 2 d.	Borough of Bedford.	Mayor and community of the town of Bedford.	Gild Merchant, &c.	—	—	Prescription and Ch. of confirmation by Ric. I.		[Note 1.]
23-26, Rot. 6 d.	Luton Vill	Abbot of St. Albans.	F.	- - -	"From eve of Assumption to the hour of vespers on the day of the feast, with all customs pertaining to a fair excepting toll of horses and tanned hides . . . as appurtenant to the manor."	Prescription	- -	The Crown pleaded that a fair cannot be appurtenant, but agreed to a jury who gave a verdict for the abbot. [Note 2.]
26, Rot. 7	Manor de Bello Loco.	Prior of B.	F.	- - -	Eve, day and morrow of S. James, "with customs to a fair pertaining."	Ch. Edw. I.	P.	As to assise of bread and beer (which is dealt with apart from the fair), the jury find that the abbot has imposed fines of 1s. when he ought to have sent offenders to the pillory. [Note 3.]
29-30, Rot. 9 d.	Camelton and Shefford.	Robert de l'Isle.	M. P.	Friday - - -	Eve and day of Michaelmas and six days following.	Ch. Hen. III. Ch. Edw. II.	P.	Jury finds that Shefford is a hamlet of the manor of Camelton, and that the user had been lawful.
35, Rot. 13	Elneſtowe	Abbees of Elstow.	"Free fair."	—	Eve and day of the finding of the Cross and two days following.	Ch. Hen. II.	P.	All going and coming to the fair were to have the King's peace. [Note 4.]
36, Rot. 13 d.	Wahull	J. de Wahull	M.	Thursday	- - -	Prescription	- -	The Crown pleaded that the claimant's father had claimed by Ch. of Hen. III. at the last iter.
38, Rot. 15	Aspele	J. de Gyse	M. F.	Friday - - -	Eve and day of S. Botolph and two days following.	Ch. Hen. III.	P.	The Crown pleaded that the grant to A. and his heirs of a franchise of fair, should not pass to a purchaser, but the plea was overruled by the Court.
43, Rot. 18	Merston	J. de Mosteyn	M. F.	Tuesday - - -	Eve, day, and morrow of Nativity of the Virgin.	Ch. Edw. II.	P.	
44, Rot. 18 d.	Syveleshe [Silsoe.]	- - -	M. F.	Wednesday - - -	Eve and day of SS. Philip and James.	Ch. Edw. II.	P.	
54, Rot. 25	Luyton	Hugo de Mortimer.	M. F.	Monday - - -	Assumption of the Virgin.	(Plea that he and B. Fitz-Reginald, a minor, hold in common through co-heiresses of Sibilla de Ferraria.)	A.	
64, Rot. 30	Wardon	J. de Boweles	M. F.	Tuesday - - -	Eve, day, and morrow of S. Leonard.	Ch. Ed. II.	P.	Jury find a special verdict that he has kept the M. and F., "as far as it lay in his power, for it often happened that none came there to do business." [Note 5.]
66, Rot. 30	Amethulle (Amphill).	P. de Sancta Cruce and A. de St. Amand.	M. F.	Thursday - - -	Eve, day, and morrow of S. Mary Magdalen.	(Plea of purparty, A. de St. A. being a minor.)	A.	

1. [Bedford.] The customs claimed are that they should have their merchant guild, with all its liberties and customs, and that those who are not of that guild may not do any merchandise with them in city or borough or vill, or in the socages, . . . and that they should have, throughout the realm, their laws which they have in common with the citizens of Oxford, and do merchandise with them in London and all other places, and send commissioners to Oxford if any question arises as to any judgment, &c., because they and the citizens of Oxford are of one and the same custom, law, and liberty. In answer to interrogatories, they say that all burgesses and residents taking oath to maintain the town liberties and the King's peace are received into the guild, and thereafter sell their merchandise by retail. The Crown disputed the right to admit resident non-burgesses and to elect mayors or coroners, or to try felonies committed at the fair of Elneſtowe and in other places beyond their jurisdiction (as they had done), and seized the offices of mayor, &c., preserving, however, the other liberties.

2. [Luton.] Et quo ad predictam feriam quam predictus abbas clamat tanquam pertinentem ad predictum manerium suum de Luton, dicit [Ric. de Aldeburgh qui sequitur pro domino Rege] quod feria est quedam libertas regalis, quam nullus habere potest absque speciali concessione domini Regis nec potest ad aliquod liberum tenementum pertinere. Unde petit iudicium si predictus abbas feriam illam tanquam pertinentem ad manerium predictum per temporis prescriptionem sine speciali facto regio clamare possit; et si curia viderit quod super tam longa possessione in hie casu sit inquirendum, salva domino Regi ratione predicta, petit quod inquiretur qualiter et a quo tempore predictus abbas et predecessores sui seisiiti fuerunt de eadem feria et si illam tenuerunt prius vel diutius quam debuerunt aut alio modo quam debito tolnetum de rebus et mercandis venalibus in eadem levaverunt etc. . . . Postea ad tres septimanas Sancti Michaelis venit predictus abbas . . . et juratores dicunt super sacramentum suum quoad . . . feriam quod predictus abbas et omnes predecessores sui a tempore quo non extat memoria seisiiti fuerunt de . . . feria in forma qua clamavit.

3. The same verdict appears in several other cases in this county.

4. [Elneſtowe.] Et idem Rex precepit quod feriam illam bene et in pace teneant et omnes illi qui venerint ad eandem feriam firmam pacem suam habeant in eundo et redeundo ne aliqua illis fiat injuria vel contumelia super forisfacturam Regia.

5. [Wardon.] Juratores . . . quo ad mercatum et feriam dicunt quod idem J., a tempore confectionis carte predictae ei inde factae, usus est mercato et feria predictis debite in tantum quod in ipso fuit, quia multociens evenit quod tempore mercati et ferie nemo venit ad aliquod ibidem negociandum.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 67, Rot. 33	Weston Tregcz.	Isolda Ingo	M. F.	Monday	- - - - - - Eve, day, and morrow of the Translation of S. Thomas Martyr.	Ch. Ed. I.	P.	
70, Rot. 35	Staneuwyk	Abbot of Peterborough.	"To have there a bushel, half-bushel, gallon, half-gallon, quarter-gallon, ell, and all other measures and weights according to the King's standard by the measure of the Marshal, and to take fines of measures and weights condemned."	- - -	- - -	The measures named (except the ell) are claimed as pertaining to the view of frankpledge, for the correction of the assize of bread and beer.	P. (except as to ell, &c.)	The claim to have ells and other measures in other manors where the abbot has Market and Fair is specially reserved. [Note 6.]
75, Rot. 37	Yevele	J. Castelyn	M.	Thursday	- - -	Ch. Hen. III.	P.	The Crown demanded a jury trial "whether he has the instruments of judicial punishment pertaining to a market," and the verdict is that there has been proper user. [Note 7.]

6. [Staneuwyk.] Et quo ad predicta mensura et pondera dicit [abbas] quod ipse habet visum franciplegii ad quem hujusmodi mensura et pondera sunt accessoria pro assisa panis et cervisie observanda: et eo waranto clamat ipse pondera et mensura sillas ad custodiam assise predictae pertinentes, et omittit clamium suum hic de ulnis et aliis ponderibus salvo sibi inde clamio suo pro mercatis et feriis quas habet in aliis comitatibus.

7. [Southpivel.] Et super hoc R. de A. qui sequitur pro domino Regi petit quod inquiretur si idem Johannes habeat judicialia ad mercatum pertinentia etc. . . . ideo venit inde jurata . . . qui dicunt . . . quod predicti G. et J. a tempore confectionis carte predictae etc. . . . usi sunt libertatibus predictis tamquam ad predictum manerium pertinentibus et hoc debito modo.

COUNTY OF CAMBRIDGE.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Placita domini Regis, 27 Edw. I., p. 90, Rot. 27.	Bernewell	Prior of Barnwell.	F.	- - -	Eve and day of S. Ethelred and two days following.	Ch. Hen. II.	P.	
100. Rot. 27 d.	Bodekesham	Earl of Gloucester and others.	M.	Monday	- - -	(In right of a millor.)	A.	
100. R. 27 d.	Fulme	E. de Plaiz	M.	- - -	- - -	Prescription	P.	
102. R. 28 d.	Ikelington	Prioress of Ickleton.	M. F.	Thursday	- - - (Yearly. No day named.)	Ch. Hen. III., prescription.	P.	
103. R. 29	Clopton	Robert de Ho.	M.	(Weekly. No day named.)	- - -	Ch. Edw. I.	P.	
104. R. 29 d.	Swaveseye	Al. la Zouch	M. F.	Tuesday	(3 days. Not named.)	Ch. Hen. III.	P.	

COUNTY OF CORNWALL.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Plac. de Jur. et Ass. et de Corona, 30 Edw. I., p. 108.	St. Germain's	Prior of St. G.	M. and F.	-	-	Prescription	P.	
108 - -	Lananta	W. de Botereus	M. and F.	-	-	Ch. Edw. I.	P.	
108 - -	Boterelescastel [Bocastle.]	W. de Botereus	F.	-	-	Prescription	P.	
108 - -	Penrhyn	Thos. Bp. of Exeter.	M. and F., and "free burgh and all that pertains to M. and F. and burgh."	-	-	M. and F. by Charter of Henry III. and the rest by prescription.	P.	
108 - -	Helleston	Burgesses	Merchant guild and other borough franchises.	-	-	Ch. of John as to guild, and prescription as to the rest.	P.	
109 - -	Mousehole	H. Tyays	M. and F.	-	-	Ch. Edw. I.	P.	
109 - -	Tregoni	H. de Pomeray	M. and toll and assize of bread, &c.	-	-	Ch. Hen. [III.] as to market and fairs and prescription as to the rest.	P.	
			F. F.	-	-	Eve, day and morrow of S. James the Apostle, and eve, day and morrow of S. Leonard.		
109 - -	Modeshole	J. de Arundel	M. and F.	-	-	Ch. Hen. [III.]	P.	The Crown pleaded that as the Defendant was a purchaser from the heir of the grantee, the King's Charter to the grantee and his heirs had lapsed, but the plea was not sustained.
110 - -	Kircampton	R. de Grenvill	M.	-	-	Prescription	P.	
110 - -	Calweton	Reg. de Ferrars	M. and F.	-	-	Ch. Hen. III.	P.	
110 - -	Bodmyn	Prior of Bodmyn.	M. and F.	-	-	Prescription	P.	
110 - -	Loo	W. de Bodrygan	M. and F.	-	-	Ch. Hen. III.	P.	
111 - -	Truveru	T. de Pridias	M. and F., and borough liberties in T.	-	-	Prescription for M. and F. in ancestors of I. de Ripariis, &c.	P.	As to the borough liberties, the burgesses of Truro appeared and pleaded a Charter of Reginald E. of Cornwall, who granted the liberties claimed to his burgesses of T.: and this was allowed. [Note 8.]

8. [Truro.] Thomas Pridias summonitus fuit ad respondendum domino Regi de placito quo waranto clamat habere sok et sak tolet them infangenethef visum francplegii et ea que ad visum pertinent et emendas assise panis et cerevisie fracte mercatum et feriam in manerio suo de Truveru: et quod burgenses sui de Truveru non placitent in hundredo nec in comitatu nec in aliqua summonitione eant ad placitandum alicubi extra villam de Truveru: et quod quieti sint de theoloneo dando per totam Cornubiam in feriis et mercatis et ubicunque venerint et vendiderint. . . et Thomas venit etc. . . et quo ad visum francplegii emendandum (sic) assise panis et cervisie fracte mercatum et feriam dicunt quod J. de Ripariis cujus assignatus predictus T. de P. est etc. . . et omnes antecessores . . . in manerio suo de Tryru predictis libertatibus usi sunt a tempore quo non extat memoria: postea hoc idem compertum est per inquisitionem etc.: ideo predictus T. inde sine die salvo etc. Et quo ad alias libertates videlicet sok et sak tol et them infangenethef: et quod burgenses de Truru non placitent in hundredo nec in comitatu extra villam de Truru predictam etc.: et quod quieti sint de theoloneo per totam Cornubiam ubicunque etc.: veniunt predicti burgenses et dicunt quod ipsi clamant predictas libertates per cartam Reginaldi quondam comitis Cornubie qui eas eisdem burgensibus dedit et concessit: et dicunt quod dominus Henricus Rex proavus domini Regis nunc et dominus Rex nunc confirmaverunt easdem libertates per cartas quas proferunt et que hoc idem testantur: deo predicti burgenses quo ad hoc inde sine die salvo etc.

Thomas Pridias was summoned to answer the Lord King by what warrant he claims to have sok and sac tol and team infangthef, view of frankpledge and all that to such view pertains, and the punishment for the breach of the assize of bread and beer, and market and fair, in his manor of Truro: and that his burgesses of Truro should not plead in hundred court or county court, nor go on any summons to plead anywhere outside the vill of Truro: and that they should be free of the payment of toll throughout Cornwall in all fairs and markets, and wherever they travel or sell. . . And Thomas comes, &c. . . and as to the view of frankpledge, punishment for assize of bread and beer, market and fair [he and his fellow claimants] say that J. de Rivers whose assign the said T. de P. is . . . and all his ancestors . . . have used the said franchises in their manor of Truro from time immemorial: and the same was afterwards found by inquisition: therefore let the said Thomas go without a day, saving [the right of the King], &c. And as to the other liberties, to wit, sok and sac and tol and team, and that the burgesses of Truro should not plead in hundred or county beyond the said vill of Truro, &c.: and that they should be quit of toll throughout the whole of Cornwall wheresoever, &c.: the said burgesses come [before the court] and say that they themselves claim the said liberties by a charter of Reginald, formerly Earl of Cornwall, who granted and conceded them to the burgesses of Truro: and they say that the Lord King Henry, great grandfather of the now King, and the Lord the King now reigning, have conferred unto them the same liberties by their charters which they produce and which testify accordingly: therefore let the said burgesses as to these matters go without a day, saving [the right of the King], &c.

COUNTY OF CUMBERLAND.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Placita de Quo Warranto et de Rageman, 20 Edw. I., p. 113, Rot. 2.	Terra de Coupelaund.	Thomas de Multon.	Theolonium Thour'thol and Pre-emption, Keltol (<i>i.e.</i> , toll of ships), and toll of all merchandise sold in all ports.	- - - - -	- - - - -	Prescription	P.	(Note 9.)
Do.	Egremund -	Do.	M.	Wednesday	- - - - -	Charter of Hen. III.	P.	
			F.	- - - - -	Eve, day and morrow of the Nativity of the Virgin.			
Do.	Renglas [Ravenglass.]	Do.	F.	- - - - -	- - - - -	Prescription	P.	
			M.	Saturday	- - - - -	Do.		
115 Rot. 3 -	Crosthweyt -	Countess of Albemarle.	M.	- - - - -	- - - - -	- - - - -	P.	Plea: "That she holds no market there, but she says that the men of that vicinage assemble there on feast days at the church, and sell their meat and bread, but she does not receive there any toll or stallage or any other profit," and verdict accordingly.
								(Note 10.)
116 Rot. 3 d. -	Wygeton -	J. de Wygeton	M.	Tuesday	- - - - -	Ch. 46 H. III.	P.	
			F.	- - - - -	Eve, day and morrow of the Nativity of the Virgin.			
119 Rot. 5 -	Kokermue [Cockermouth]	Countess Albemarle.	M. and F.	- - - - -	- - - - -	Prescription	P.	
Do.	Craystok -	J. de Craystok	M.	Monday	- - - - -	Ch. of 29 H. III.		
			F.	- - - - -	Eve, day and morrow of the Translation of S. Edward.			
120 Rot. 5 d. -	Lydel -	John Wake -	M.	Tuesday	- - - - -	Ch. 51 H. III.		
			F.	- - - - -	Eve, day, and 6 days after Exaltation of the Cross.			
121 Rot. 10. -	Carlisle -	Mayor and Commonalty.	Murage of merchandise for sale in the town, and M. and F. and a "free gild," &c.	- - - - -	- - - - -	- - - - -	- - - - -	(They say their charters are burnt and decline to refer to the record: therefore seized by the King and valued.) [See the particulars in Note 11.]
122 Rot. 11 d. -	Kirkoswald -	T. de Multon	M.	Thursday	- - - - -	Ch. 2 John	A.	
			F.	- - - - -	S. Oswald's day.			
123 Rot. 12 -	Keswick -	T. de Der-	M.	Saturday	- - - - -	Ch. 4 Ed. I.	P.	The King's Attorney pleads that he has taken toll and dues of assize of bread, &c. otherwise than as the charter allows or as pertains to market and fair; but the verdict negatives this.
			F.	- - - - -	Eve, day and 3 days after S. Mary Magdalen.			

9. [Copeland.] Thomas filius Lamberti de Multon summonitus . . . quo waranto clamat habere . . . theoloneum thurtol boves a disseisitoribus pro disseisina factis, primam empicionem de quibuscunque rebus venalibus tam venientibus per terram quam per aquam . . . per totam terram de Coupelaund exceptis villis de Dene etc. . . et quo waranto clamat habere keltol et theoloneum de omnibus mercimoniis venditis in omnibus portibus in Coupelaund . . . et habere mercatum et furcas apud Egremund et feriam apud Renglas . . . dicit quod clamat habere theoloneum thurtol boves etc. et primam empicionem etc. . . clamat etiam habere keltol videlicet theoloneum de naviis et theoloneum de omnibus mercimoniis venditis etc. . . clamat et habere mercatum per diem Sabbati et gibettum ab antiquo et feriam apud Renglas . . . et ipse et omnes antecessores sui a tempore quo non extat memoria usi sunt huiusmodi libertate etc. (And in another part of the pleadings he refers his liberties to the time of William the Conqueror.)

10. [Crosthweyt.] Dicit quod ipsa non habet ibi mercatum etc. sed dicit quod homines de visneto illo diebus festivis conveniunt ibi ad ecclesiam et vendunt ibi carnes et pisces etc. set ipsa non percipit ibi tolmetum seu stallagium nec aliquid aliud profluum [mercati] . . . (verdict accordingly, and acquittal).

11. [Carlisle.] Major et communitas Carloli summoniti etc. . . quo waranto clament capere muragium quibuscunque rebus et mercimoniis vendicione expositis in villa predicta: et quo waranto clament habere mercatum et feriam, liberam gildam, emendas etc. in Carloli . . . Et major etc. dicunt quod tempore quo Henricus Rex prout dominus Regis nunc tenuit predictam villam in manu sua qui illam dimisit burgensibus ejusdem ville ad firmam etc. dimisit ipse illis predictam villam simul cum predictis libertatibus excepta tantum libori gilda, quam postea perquisiverunt per cartam domini Regis.

Et quesitum est ab eis qualiter volunt hoc verificare: dicunt quod carte sue combuste sunt: et quesiti si volunt vocare recordum rotulorum . . . ad warrantum . . . dicunt quod non, et parati sunt verificare per patriam quod semper sic usi sunt predictis libertatibus a tempore predictae dimissionis eis facte . . . et quia nichil ostendunt . . . consideratum est quod predictae libertates capiuntur in manu domini Regis ad voluntatem ipsius domini Regis etc. . . et predicta villa cum libertatibus suis . . . liberatur W. de Boyvill custodienda quousque etc.

Et juratores certificent de valore in omnibus exitibus etc. et jurati testantur quod tolmetum intrinsicum et forinsecum valent per annum triginta et quinque libras: et firma mensurarum valet per annum octo libras tresdecim solidos et quatuor denarios . . . et gilda mercatoria valet per annum quadraginta solidos: et gavelyeld valet per annum triginti solidos etc.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 123. Rot. 12	Seton	T. de Culewenn	M. F. "Assize . . . tumbrel and pillory."	Thursday	- - - Eve, day and morrow of S. Peter ad Vincula.	Ch. 8 Ed. I.	P.	Crown plea "that assize of bread and beer and tumbrel and pillory are not included in the Charter pleaded." The claim was then amended by saying that the Claimant has assize, &c. on other days than Thursday by prescription. But without deciding this, the Court held that the assize tumbrel and pillory were "annexed to the market and fair." [Note 12.]
124. Rot. 12 d.	Ireby	R. de Brus and Christiana his wife.	M. F. (and assize of bread).	Thursday	- - - Eve, day, and morrow of S. Matthew.	21 Ch. H. III.	P.	[The Charter grants M. and F. "with all liberties" and free customs to such "a M. and F. belonging"—"et sic clamat emendas assizo"—and this is not disputed by the Crown.]
136. Rot. 13 d.	Heyton	W. de Mulcastre.	M. F.	Tuesday	- - - Eve, day, and morrow of S. Mary Magdalen.	Ch. 6. Edw. I.		
126. Rot. 13 d.	Brampton	Matilla de Gillelaund.	M. F. (and assize of bread, "as annexed to the M. and F.")	Tuesday	- - - Eve and day of beheading of S. John Baptist.	Ch. 37. H. III.	P.	
23. Rot. 15 d.	Bothecastle	J. de Swineburne.	M. F.	Monday	- - - Eve, day, and 3 days after Nativity of the Virgin. Eve, day, and 3 days after S. Barnabas.	Ch. 7 Ed. I.	P.	
123. Rot. 16	Lemington	R. de Kirkebride and others.	M. F.	Thursday	- - - Eve, day, and morrow SS. Peter and Paul.	Ch. 46 H. III.	R.	Jury find non-user of the M. and F.

12. [Seton.] Et T. venit et dicit quod ipse clamat omnes predictas libertates sicut in brevi continentur per cartam domini Regis nunc datam anno regni sui 8^{mo} quam profert et quo testatur quod idem dominus Rex concessit . . . patri predicti T. . . . unum mercatum apud manerium suum de Seton singulis septimanis per diem Jovis et unam feriam ibidem singulis annis per tres dies etc. cum omnibus libertatibus et liberis consuetudinibus ad hujusmodi mercatum et feriam pertinentibus etc. . . . et W. Inge pro domino Rege dicit quod emenda assise panis et cerevisie fracte tumbrellum et pillorum que predictus T. modo clamat non continentur in predicta carta et petit iudicium pro domino Rege etc. et petit quod inquiratur . . . qualiter usus etc. . . . jurati dicunt super sacramentum suum quod ipse et omnes antecessores sui a tempore date predictae carte usi sunt predictis libertatibus sicut ipse clamat etc. ideo ad iudicium. Postea . . . anno Regis nunc 21^{mo} . . . venit predictus T. et R. de Hexham qui sequitur pro domino Rege . . . petit quod T. dicat expresse si clamat emendas assise panis et cerevisie fracte singulis diebus septimane auctoritate predicta vel diebus mercati et ferie: et T. dicit quod ipse clamat emendas assise panis et cerevisie fracte singulis diebus mercati et ferie auctoritate predictae carte et emendas assise cerevisie fracte per totum annum ab antiquo et dicit quod ipse et omnes etc. a tempore quo etc. similiter usi sunt etc., et hoc paratus est verificare sicut curia consideraverit . . . et quod predictus T. ostendit cartam domini Regis nunc et predictae libertates quas predictus T. clamat sunt annexae mercato et ferie etc. consideratum est quod predictus T. eat ad presens inde sine die salvo etc.

COUNTY OF DERBY.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged in the Crown Writ.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Plac. de Quo Warranto, 4 Edw. III., P. 133.	Hexham [Higham.]	H. de Gray	M. F.	Wednesday	- - - Eve, day, and morrow of S. Peter ad Vincula.	Prescription	- - -	Jury find that he has used M. and F. from time, &c., but has fined for breaches of assize of bread on market and fair days instead of using pillory—therefore the M. and F. are seized by the King, and restored on fine of 2 marks (under a general commission in that behalf). [Note 13.]

13. [Higham.] H. de Gray summonitus . . . quo waranto clamat habere in manerio suo de Shirland infangethef furcas visum franciplegii etc. . . . et habere mercatum apud Hexham infra manerium predictum singulis septimanis per diem Mercurii et unam feriam ibidem etc. . . . et H. venit et quo ad etc. dicit quod ipse et omnes antecessores sui et omnes qui predictum manerium tenuerunt a tempore quo non extat memoria habuerunt infangethef . . . mercatum et feriam prout superius clamatum est etc. tanquam eidem manerio pertinentia etc. . . . et W. de Denum qui sequitur pro domino Rege dicit quod predictus H. non habet pillorium nec tumbrellum in manerio suo predicto: dicit etiam quod idem H. semper usus est punire illos qui delinquerunt in articulis visus franciplegii per poenam pecuniariam et nunquam eos ad iudicium pillorii nec tumbrelli, et hoc petit quod inquiratur pro Rege: petit etiam quod inquiratur pro rege qualiter predictus H. usus est libertatibus predictis etc. Ideo inquiratur pro Rege si predictus H. habeat omnes libertates superius clamas per titulum prescriptionis etc. et qualiter etc. . . . usi sunt etc. . . . Juratores dicunt . . . quod predictus H. et antecessores sui et omnes qui predictum manerium de Shirland tenuerunt a tempore etc. sine interruptione habuerunt infangethef furcas visum franciplegii et parcam et similiter habuerunt in eodem manerio apud Hexham mercatum et feriam in forma qua superius clamatum est sine interruptione, et bene illis usi sunt etc., excepto quod ipse semper usus est punire illos qui delinquerunt in fraccione assise panis die mercati et diebus ferie etc. per poenam pecuniariam et nunquam ponere eos ad iudicium pillorii seu tumbrelli . . . Ideo predicti libertates visus franciplegii mercati et ferie capiuntur in manum domini Regis etc. Postea venerunt . . . et fecerunt finem cum domino rege de duabus marcis pro predictis libertatibus predicti H. rehabendis: ideo rehabitas predictas libertates utendum illis modo quo decet: et sciendum quod finis iste admittitur virtute cuiusdam brevis iusticiarii hic missi de finibus in hujusmodi casu recipiendis. Ideo predictus H. quo ad libertates predictas et omnes alias libertates superius clamas ad presens inde sine die salvo etc.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 134	Alfreton [Alfreton.]	T. de Chauworth.	M. F.	Monday	- - - Eve and day of S. Margaret.	Ch. 16 July 36 H. III. (fair being a day longer.)	-	The like—fine 20s. [Note 14.]
136	Rippeley [Ripley.]	Abbot of Darley.	M. F.	Wednesday	- - - Eve, day and morrow of S. Helena.	Ch. of 25 Nov. 36 H. III.	-	
137	Ilkeston	Nic. de Cautilupo.	M. F.	Thursday	- - - Eve and day of the Assumption.	Ob. of 10 Apr. 36 H. III.	-	Verdict that he holds the F. if any come, but there is no access of buyers and sellers: but he claims right of pillory and tumbrel in right of M. and F., and punishes the breach of assize on M. and F. days in the aforesaid manner: therefore seized, and fine of 3 marks. [Note 15.]
138	Bauquell [Bakewell.]	J. Gernoun	F.	- - -	15 days from eve of SS. Philip and James.	- - -	R.	Seized.
139	Cestrefeld and Scarverdale [Chesterfield.]	T. le Wake	M. F. F. "Toll of merchants having iron forges and of all other merchandise in the Wapentake."	Saturday	- - - 8 days from the Exaltation of the Cross. 8 days from eve of Palm Sunday.	- - -	A.	
139-40	Ropyndon	- - -	M. F.	Wednesday	1st July	- - -	A.	
140	Bauquell	L., son of W. Gernoun.	M. F.	Monday	Eve, day and morrow of Assumption.	Prescription	P.	Detailed verdict given as to rates of toll. [Note 16.]

14. [Alfreton.] T. de Ch. summonitus . . . quo waranto clamat habere . . . in manerio suo de Alfreton . . . liberum mercatum singulis septimanis per diem Lune et unam feriam singulis annis per duos dies duraturam videlicet in vigilia et in die Sancte Margarete etc. et T. per R. de M. attornatum suum venit, et quo ad mercatum et feriam habenda in predicto manerio suo . . . dicit quod dominus Henricus quondam rex etc. proavus domini Regis nunc per cartam suam concessit . . . quod ipse et eorum heredes imperpetuum habeant unum mercatum apud Alfreton in comitatu isto singulis septimanis per diem Lune et quod habeant ibidem unam feriam singulis annis per tres dies duraturam videlicet in vigilia et in die et in crastino Sancte Margarete nisi mercatum illud et feria illa sint ad nocumentum vicinorum mercatorum et vicinarum feriarum: et profert cartam . . . que premissa testatur . . . cujus datum est sextodecimo die Julii anno regni sui tricesimo sexto etc. . . et eo waranto clamat predicta mercatum et feriam . . . et W. de Denum qui sequitur pro Rege petit quod inquiratur . . . qualiter usus est predictis mercato et feria a tempore concessionis predictarum etc. et si habet pillorium et tumbrellum in eodem manerio per que delinquentes contra assisam panis et cervisie etc. diebus mercati et ferie puniri debent. . . Jurati dicunt . . . quo ad mercatum et feriam . . . quod idem T. et antecessores sui a tempore concessionis eorundem bene usi sunt mercato et feria predictis excepto tamen quod idem T. et antecessores sui semper usi sunt amerciare delinquentes contra assisam panis et cervisie fracte diebus mercati et ferie adeo bene tercia vice et pluries sicut prima vice vel secunda et nunquam ponere eos ad iudicium pillorii seu tumbrelli que habet in predicto manerio ratione predictorum mercati et ferie: Ideo predicta mercatum et feria capiuntur in manum domini Regis etc. Postea . . . finem cum domino Rege de viginti solidis pro predictis mercato et feria rehabendis. Ideo idem T. rehabeat mercatum et feriam predicta utenda illis modo quo decet. Et sciendum quod . . . admittitur virtute ejusdem brevis [ut supra]. Et T. inde sine die salvo etc.

15. [Ilkeston.] Et quo ad mercatum et feriam et warennam superius clamata dicunt [jurati] quod idem N. habet mercatum predictum prout superius clamatur, et similiter habet ibi feriam si omentes et vendentes ibi venire vellent: set dicunt quod die ferie etc. non est ibi feria accessus ementium et vendentium: set dicunt quod idem N. habet judicialia que ad mercatum et feriam pertinent et dicunt quod predictus N. punit illos qui delinquant in fracione assise panis et cervisie die mercati etc. modo quo superius dictum est [id est adeo bene tercia vice et pluries sicut prima et secunda et nunquam ponere eos ad pillorium seu tumbrellum]: . . . Ideo predicti visus et mercatum capiuntur in manum domini Regis propter abusum. Postea . . . finem cum domino Rege de duabus marcis . . . Ideo predictus N. [rehabeat] visum et mercatum utendi illis modo quo decet: et sciendum . . . [ut supra].

16. [Bakewell.] Et W. de Dene qui sequitur pro Rege petit quod predictus J. ostendat curie hic ejusmodi tolmetum idem J. clamat percipere virtute mercati et ferie predictorum: et idem J. dicit quod ipse clamat percipere tolmetum per diem mercati in hunc modum videlicet pro uno equo vendito unum denarium de emptore et unum denarium de venditore: de bove et vacca unum denarium: de quatuor bidentibus unum denarium: de quatuor porcis unum denarium: de summagio equi unum denarium: et de portagio hominis quadrante: et tempore ferie clamat illud idem tolmetum duplicatum in omnibus, de quo quidem tolmeto capiendo ut predictum est, ipse et omnes antecessores sui a tempore predicto hucusque sunt seisi etc. . . xii juratores dicunt quod ipse et omnes antecessores sui et omnes alii manerium predictum tenentes a tempore etc. habuerunt omnes predictas libertates superius titulo prescriptionis clamatas etc.: et dicunt quod idem J. et omnes antecessores sui a tempore predicto hucusque ceperunt predictum tolmetum ratione predictorum mercati et ferie in modo quo superius clamatur: dicunt etiam quod non fecit punicionem corporalem super delinquentes contra assisam prout debuit, immo sepius per fines et amerciamenta etc. . . Ideo predicti visus francieque mercati et feria capiuntur in manum domini Regis etc., propter abusum etc. Postea predictus J. petit admitti ad faciendum finem cum domino Rege pro predictis libertatibus rehabendis etc., et quesitum est per curiam a predicto J. si ipse velit habere hujusmodi tolmeta superflua et injusta que sunt in oppressione populi et contra communem legem etc.: dicit revera quod ipse non vult decetero capere hujusmodi tolmetum etc., set dicit quod ipse clamat capere decetero de uno equo empto die mercati sive feriarum unum denarium de emptore: et pro una vacca emptam unum denarium de emptore: et pro octo bidentibus emptis unum denarium de emptore: et de quatuor porcis supernatis emptis unum denarium de emptore: et pro octo porcis qui sunt infra annum unum denarium de emptore: et pro qualibet carcata carcata de mercandis unum denarium de emptore: et de summagio equi unum obolum de emptore: et de quolibet portagio hominis unum quadrante de emptore. Et idem J. fecit finem cum domino Rege de xl solidis . . . pro predictis libertatibus rehabendis etc., Ideo . . . rehabeat, etc. utendi illis modis quibus decet: et dictum est et quod capiat tolmeta decetero in forma qua inferius clamatur, et sciendum etc. [ut supra].

B. (Bakewell.)—"And W. de Dene who follows for the King prays that the said John should show unto the Court here what manner of toll he claims to take in virtue of the said market and fair: and the said John says that he claims to take toll on market days in this wise, viz., for each horse sold, 1d. from the buyer and 1d. from the seller, and for an ox or a cow, 1d., and for 4 sheep, 1d., and for 4 pigs, 1d., and for a horse-load, 1d., and for a man's load, 1d., and at fair-time he claims to have the same tolls doubled in all things, of which said toll to be so taken as aforesaid, he and all his ancestors from the time aforesaid until now have been seized, &c. The 12 jurors say that he has had a market and fair with the tolls as claimed from time immemorial, but that he has punished offenders against the assize of bread and beer by fine instead of by corporal punishment; and the franchisees "are seized into the King's hand for abuse." When he petitions to have them restored on a fine he is asked by the Court whether he wishes to claim the old tolls which are described as "superfluous and unjust, and to the oppression of the people and against the common law," and he submits to reduce them by claiming for the future, both at market and fair-times, for a horse, 1d. from the buyer only, and for a cow, the like, and for 8 sheep, the like, and for 4 full grown pigs, the like, and for 8 pigs under a year old, the like, and for every cart load of merchandise, the like, and for every horse load, 1d. of the buyer only, and for every man's load, 1d. of the buyer only; and on these terms he is allowed to make a fine of 40s. under the special commission to the justices for that purpose, and has the franchisees restored to him.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 155 - -	Chanelesworth	Abbot of Bassingwerk.	M. F. "Tol," in the sense of freedom from paying toll.	Tuesday - - - - - -	- - - Eve, day and morrow of S. Mary Magdalen. - - -	Ch. 1st Feb. 2 Edw. III. - - -	Fine - R.	The Crown inquires "whether the Abbot has such judicial instruments (of corporal punishment) as are required for such a M. and F., and how he has used the said M. and F." Verdict that he has pillory and tumbrel and the requisite judicial instruments, but has not used them, therefore seizure and fine of 20s.
157 - - -	Tydeswell	R. de Marchynton and others.	M. F.	Wednesday - - -	- - - Beheading of S. John Baptist.	Prescription	R.	
158 - - -	Derby	Burgesses	"Toll": Toll thorough within limits named as well as in Derby; monopoly of dyed cloth for 10 leagues; merchant guild, &c. F. F. F. M.	- - - - - - - - - Sunday, Monday, Wednesday, and from Vespers on Thursday to Vespers on Friday.	- - - Thursday and Friday in Whitsun week. S. James' day. 8 days before and after S. James' day. - - -	Ch. of Hen. III. confirmed by Ch. of 3 June 1 Edw. III. Ch. of Hen. III. and 1 Edw. III. ut supra (but for St. James' day by prescription). Prescription	- - - -	After a full inquiry as to the differential tolls taken, and as to the oppressive practices of the merchant guild, the franchises are seized and the town committed to Simon de Cestre to account for all profits to the King; but restored to the citizens by a writ of 6 Dec. 4 Edw. III.
162 - - -	Pleslegh	W. de Harcourt.	M. F.	Monday - - -	- - - Eve, day and morrow of S. Mark Evangelist.	Ch. 9 May 23 Edw. I.	P.	Verdict that they have rightly used the M. and F.
163 - - -	Sandiacre	W. de Grey	M. F.	Wednesday - - -	- - - Eve and day of S. Giles and 6 days following.	Ch. 16 Dec. 37 Hen. III.	- -	Verdict that they have never used the M. and F. since the time of the charter.

DEVONSHIRE.

Plac. de Juratis et Assais, 9-10 Edw. I. apud Exon. P. 164, Rot. 34.	Black Torriton	W. la Zouch	M. F.	- - - - - -	- - - - - -	Plea that one Joel dei Meyne seized of the manor with the said M. and F. when by his forfeiture it came to Henry III., who granted it "as Joel held it" to the claimant's ancestor.	P.	
170, Rot. 39	Tavistock	Abbot of T.	M. F.	- - - - - -	- - - - - -	Prescription	P.	
171, Rot. 39 d.	Nywanton	H. de Curtenay	M. F.	- - - - - -	- - - - - -	Disclaimed	D.	
176, Rot. 43	Halesworthy	G. de Caunville	M. F.	- - - - - -	- - - - - -	[Calls the vendor to warranty.]	A.	
178, Rot. 44	Nywetton	O. de Dynham	M. F.	- - - - - -	- - - - - -	Prescription	A.	The King's attorney pleads that immemorial user, without alleging any "special warrant" from the Crown, is insufficient; but judgment is adjourned.
179, Rot. 45	Dartmouth	Milicent de Mohant.	Water tolls and "other customs."	- - -	- - -	- - -	A.	
179, Rot. 45	Hegewyk	Theobald Bussell.	F.	- - -	- - -	As parcel of the manor of Teyngewyk, granted by Henry III.	R.	

DORSETSHIRE.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Plac. de Jur. et Ass., 6 Edw. I., P. 131, Rot. 8.	Langetone in Purbeck.	Ingelram le Waleys.	F.	- - -	- - -	Feoffment of the manor with the liberties annexed.	E.	
181, Rot. 8	Schyromestre	Abbot of Glastonbury.	M. "To the nuisance of the King's free market of Shaftesbury."	- - -	- - -	Prescription	P.	The King's attorney makes no answer to the plea "that the abbot and all his predecessors have held the said M. without any usurpation made against the King or his ancestors from time immemorial."
182, Rot. 8	Myddelton	Abbot of Myddelton.	M.	Thursday	- - -	Ch. of Hen. III.	P.	
182, Rot. 8 d.	Bridport	Bishop of Salisbury and Dean and Chapter.	"Pesage" at Bridport.	- - -	- - -	Disclaimed	-	["Pesage" and "pisage" also.]
182, Rot. 8 d.	Charminster	Do.	M. "To the nuisance of the King's free M. of Bridport."	- - -	- - -	Disclaimed	-	
184, Rot. 16	Newet'lon (Maiden Newton).	J. de Insula	M. To the nuisance of the King's free borough of Dorchester.	- - -	- - -	-	A.	The King's attorney says that "whereas each M. ought to be five miles distant from another, the said John has erected a M. in his vill of N., which is not more than five miles distant from the King's boroughs of Dorchester and Bridport."
185, Rot. 16	Lyme	Elias de Rabayne.	M. "To the nuisance of the free M. of Bridport, and toll on all days of the week instead of on Monday only, and without warrant and beyond his fee, &c."	Monday	- - -	By charter of Hen. III.	Un-finished	Jury say that the Monday M. at Lyme is to the nuisance of the M. of Bridport (held on Wednesday and Saturday), which is distant more than five miles but less than six; and that Elias holds a M. every day of the week, and takes tolls of those outside his fee.
185, Rot. 14	Abbotsbury	Abbot of A.	M. "To the nuisance of the King's free M. of Bridport."	- - -	- - -	Disclaimed	D.	

YORKSHIRE.

Plac. de Jur. et Ass., et de Quo Warranto, 7, 8, & 9 Edw. I., P. 191, Rot. 4 d.	Wetherby, South Cave.	The Master of the Temple.	Assize of bread and other franchises.	- - -	- - -	- - -	-	The Master answers that he claims the assize at Wetherby because he has a Thursday Market and a Fair there substituted by Ch. of Hen. III. for a Tuesday Market, and a Fair at Walsford; and that he claims the assize at South Cave because he has a M. there, but "being asked by what warrant he has M. there, he shows none."
194, Rot. 6 d.	Stokealeay	Hugo de Evero	M. F.	- - -	- - -	- - -	-	
201, Rot. 11 d.	Horness	Abbot of S. Mary's York.	Assize of bread.	- - -	- - -	In right of a market granted by Hen. III.	-	
Plac. de Quo Warranto, 21 Edw. I., 204, Rot. 1 d.	Wernelton	Nicholas de Neyvyll.	M. F.	Tuesday	- - -	Ch. of 53 Hen. III.	-	Plea of non-user.
206, Rot. 3 d.	Rotherham	Abbot of Rufford.	M. Assize, tumbrell, pillory, and standard of weights, ellwands and measures.	- - -	- - -	Claimed under a grant of the moiety of the manor of Rotherham.	R.	Seized into the King's hand and valued, and Abbot died, because he can show no special grant of the King.
207, Rot. 4	Pynele	R. d. Malebys	M. F.	- - -	- - -	- - -	A.	

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 209, Rot. 7 -	Wytton	J. de Vinonia	M.	Thursday	- - -	Ch. of 36 Hen. III.	A.	King's attorney demands a jury trial as to the user of the market, and whether it is not "to the nuisance of neighbouring markets."
210, Rot. 7 d. -	Skelton	Walter de Faucomberge.	M.	Sunday	- - -	Of the inheritance of his wife Agnes.	A.	Plea that his son must be a party.
210, Rot. 8 -	Duffeld	John, King of Scotland.	M. F.	Monday	- - - Eve and day of the Assumption of the Virgin.	Exchange of manors with Hen. III.	R.	The judgment recites the law, claiming for the King all liberties, not specially granted. [Note 19.]
211, Rot. 8 d. -	Gersington	R. de Plumpton.	M. F.	Friday	- - - Eve, day and morrow of Michaelmas.	Ch. of 9 Edw. I.	P.	Assize of bread claimed as appurtenant to the M. and F. [Note 20.]
" Rot. 9 -	Appletrewyk.	J. de Braington.	Tolls and stallage.	- - -	- - -	Grant by J. de Eaton, who was the grantee of Edw. I.	R.	No special ratification by the King.
212, Rot. 10 -	Emmeseye	Prior of Bolton	F.	- - -	Eve, day and morrow of S. Cuthbert in September.	Prescription	A.	Plea that there used to be nothing but a certain gathering called a wake, and by occasion thereof the priors have held and hold a fair without warrant and take toll unjustly, &c. Jury trial ordered. [Note 21.]
" Rot. 10 d.	Knareburgh	Edmund Earl of Cornwall.	M. F. market-toll and toll-thorough.	- - -	- - -	- - -	A.	Writ of superseadeas entered, dated 6 Nov. 21 Edw. I.
214-5, Rot. 12 d.	Bautre	Idonea de Lexburn.	M. free fair, court and toll.	Wednesday	- - - Whitsun week.	- - -	- - -	King's attorney alleges a wrongful exaction of toll thorough, but jury acquit the claimant. [Note 22.]
216, Rot. 13 d. -	Hundmanby in Swaledale.	Gilbert de Gaunt.	M.	-	-	-	-	-
217, Rot. 14 d. -	Selby	Abbot of Selby.	M. F.	Monday	- - - Eve, day and morrow of S. Germanus.	Prescription	- - -	Crown pleads misuser. Verdict for the prescription, but "that the abbot punishes transgressions of the assize by fines and redemptions from corporal punishment and not by putting into pillory and tumbrel." [Note 23.]
218-9, Rot. 15 d. and 16.	Thirsk	Roger de Mounbray.	M. F.	Monday	- - - S. Felix's day.	Prescription	- - -	Plea that under colour of the M. at Thirsk and Burton he takes assize of bread and beer on every day in the week, and that those convicted in his court of breach of assize, or of the standard of weight, are always fined, and that he has no pillory and tumbrel at the place where he claims M. and F.
Do.	Burton in Lonsdale.	" "	M. F.	Monday	- - - S. James' Day.	Prescription	-	Plea that the Burton Fair is extended to the eve and morrow of St. James, and the Thirsk Fair in like manner.

19. [Duffeld.] Et Rogerus de Hegham qui sequitur pro domino rege petit quod Johannes dicat expresse si predictae libertates fuerunt eis in escambium simul cum predicto manerio vel in aliqua extenta etc. Et Johannes ad hoc non respondet nisi ut prius etc. Et Rogerus dicit quod de communi consilio regni regis nuper fuit provisum quod quando aliquis clamat aliquas libertates per aliquam cartam que expresse in carta illa non continentur debent capi huiusmodi libertates in manum domini regis pro voluntate sua etc. Et dicitur predictus Johannes non dicit quod predictae libertates date fuerunt antecessori suo in escambium per aliquam extenta etc. nec predictae libertates contente sunt in predicta carta nec possunt dici pertinentes ad predictum manerium seu ad aliquod tenementum . . . petit iudicium pro ipso domino rege etc.

20. [Gersington.] " Et emendas assise panis et cervisie etc. clamat ipse tanquam pertinentes et annexas mercato et ferio."

21. [Emmeseye.] Et quo ad feriam dicit quod non solebat ibi esse nisi quedam congregacio hominum que vocatur wach, etc. Et quod occasione illius congregacionis predictus prior et predecessores sui predictam feriam ibi tenerint et tenent sine warranto, etc. et theolonium injuste capit etc. Et hoc paratus est verificare pro domino rege. Ideo rei veritas inquiretur, etc.

22. [Bautre.] Juratores dicunt . . . quo ad mercatum et feriam quod predictus Robertus antecessor, etc. obiit inde in seisina, etc. Et quod ipsa Idonia non abutitur huiusmodi libertate, etc. Et quo ad liberam curiam . . . eodem modo. Et quo ad tolmetum dicunt quod predictus Robertus antecessor etc. obiit inde in seisina in eadem forma qua ipsa illud clamat, videlicet capiendi tolmetum de omnibus rebus expositis vendicioni in predicta villa omnibus diebus per totum annum, etc. Et Rogerus de Hegham dicit pro domino rege quod ratione predicti tolmetipredicta Idonia capit thurghol de omnibus transeuntibus cum mercimoniis per mediam villam illam, licet mercimonia illa vendicioni non sint exposita, etc. Et hoc petit quod inquiretur per predictos juratores, etc. Et Idonia dicit quod non: Et hoc petit quod inquiretur per eodem, etc. Et juratores predicti dicunt super sacramentum suum quod ipse non capit huiusmodi thurghol, etc., set dicunt quod ballivi ipsius Idonie aliquando distrinxerunt transeuntis pro huiusmodi thurghol set dicunt quod ipsa Idonia hoc nescivit nec per ejus assensum taliter facerent, etc.

23. [Selby.] Dicunt quod ipse semper punit transgressores per misericordias et redempciones judicialium, set non ponendo eos super pillorium et tumbrellum . . . et quo ad hoc quod predictus abbas clamat esse quietus pro se et hominibus suis de theolonia, etc. dicunt quod predictus abbas et homines sui de antiquis tenuris ipsius abbatis, videlicet villani sui de tenuris illis, de omnibus rebus emptis ad opus suum proprium sint quieti de theolonia prestando in omnibus villis que habent libertates suas per posteriorem concessionem quam abbas de Selby habet suas, etc., set in villis que libertates suas habent per anteriorem concessionem, etc. sicut in villis de Ponte Burki et Pontefracto predictus abbas et homines sui non sunt quieti etc.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P.218-9, Rot.15d. and 16.	Hovingham	Roger de Mounbray.	M. F.	Thursday	- - - Eve, day and morrow of the Assumption.	Ch. 36 Hen. III.	-	Plea of non-user: reply "that the vill is in a waste country, and that when the men of the country choose to come the M. is held on Monday; and so of the F." [Note 24.]
221, Rot. 19 and 19 d.	Beverley	John Archbishop of York.	M. F.	Wednesday and Saturday.	Eve of S. John the Baptist and 4 days following. Eve and day of S. John of Beverley in winter, day of S. John of Beverley in May. Eve of Ascension and 8 days following.	Prescription.		
Do. - -	Ripon - -	Do.	M. F.	Thursday	- - - Eve, day and morrow of the Finding of Holy Cross. Eve, day, and morrow of S. Wilfrid after Michaelmas,	Do.		
Do. - -	Otley - -	Do.	M. F.	Monday	- - - Eve and day of S. Mary Magdalen.	Ch. of 23 Hen. III.		
Do. - -	Thyreburne -	Do.	M. F.	Friday	- - - Eve and day of the Exaltation of Holy Cross.	Do.		
Do.	York - -	Do.	F.	- - -	From vespers on eve of S. Peter ad Vincula for two days.	Prescription	-	[Note 25.]
224, Rot. 21 d. -	Bridlington -	Prior of Bridlington.	M. F.	Saturday	- - - Eve and day of the Assumption.	Ch. of 2 John.	A.	
225, Rot. 22 -	Wartu -	Prior of Wartu	Tolls F.	- - -	- - - Eve, day and morrow of S. James the Apostle.	Ch. of Hen. I. Ch. of 36 H. III.		A.
225, Rot. 22 d. -	Hikley - -	R. de Percy -	M. F.	Wednesday	- - - Eve, day and morrow of S. Luke.	Ch. of 35 H. III.		A.

24. [Hovingham.] Et quo ad mercatum et feriam apud H. dicit quod villa illa est in vasta patria et quando homines patrie volunt ibi venire tenetur ibi mercatum per diem lune, etc. et similiter ad feriam ibidem.

25. [York.] Clamat et feriam apud Eboracum incipientem in super vigilla S. Petri ad Vincula hora vespertina quando pulsantur ad ecclesiam S. Michaelis Eboracum et durantem usque in crastino S. Petri hora consimili: et cum feria illa inceperit ballivi archiepiscopi venient super pontem civitatis et ballivi civitatis tunc reddent ballivis ipsius archiepiscopi virgas suas et ballivi ipsius archiepiscopi durante feria custodient pacem civitatis et colligent theolonium et omnia alia proficua capient sicut ballivi civitatis aliis temporibus tam in aqua quam super terram, etc. et durante feria illa habet ipse infangenthef in pallacio suo Eboraci et in grangiis suis in suburbio ejusdem civitatis et furcas prope suburbium, et in alio tempore non clamat ibi hujusmodi libertatem etc. Clamat etiam ab antiquo percipere emendas assise cervisie fracte de omnibus tenentibus suis, etc. Et dicit quod omnes predecessores sui archiepiscopi Eboracenses semper continue usi fuerunt omnibus libertatibus quas ipse modo clamat a tempore quo non extat memoria. . . . Et hoc paratus est verificare sicut curia considerabit. Rot. 19 d.

[The Archbishop of York] also claims a fair at York, beginning on the eve of St. Peter ad Vincula, at the hour of Vespers, when the bells are rung at the Church of S. Michael at York, and lasting till the morrow of S. Peter, at the same hour; and when the fair has begun, the Archbishop's bailiffs shall come upon the city bridge, and the bailiffs of the city shall then deliver their staves to the Archbishop's bailiffs who shall, during the fair, keep the peace of the city, and collect toll, and take all other profits, as the city bailiffs do at other times, as well by water as by land, &c.; and during that fair the Archbishop has infangenthef in his palace at York and in his granges in the suburb of that city, and gallows in the vicinity of the suburb: but at other times does not claim to have such franchise there, &c. He claims also from ancient times house-gavel in York of all the tenants, of his fee, &c. He claims also from ancient times to receive the third penny of the toll of Fossebridge, and the lord King receives the two other pennies, &c. He claims also from ancient times to have in York two dies for making money, &c.; but the ironwork and . . . he receives from the Exchequer of the lord King, &c., and he looks for the grace of the lord. He claims also from ancient times to have amendment of breach of the assize of all his tenants, &c. And he says that all his predecessors Archbishops of York have always used, without interruption, all the liberties he now claims, from a time whereof there is no memory . . . and this he is prepared to verify as the court shall think fit.

GLOUCESTERSHIRE.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Plac. de Quo Warranto et Raganmann. Pnsh. 15 Edw. I. P. 242, Rot. 2.	Stanley	A. le Despenser	M. F.	Tuesday	- - - Eve, day, and morrow of S. Gregory.	Ch. of 3 Jan. 37 Hen. III.	P.	

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 246, Rot. 5 -	Bristol -	Abbot of Tewkesbury.	F.	- - -	Whitsun Week.	Ch. of Henry II.	P.	
247, Rot. 6 -	Wikeware -	Rog. la Ware -	M.	Tuesday	- - -	Ch. of 2 Jan. 8 Edw. I.	P.	
			F.	- - -	Whit Monday and two days following.			
247, Rot. 6 -	Northleach -	Abbot of Gloucester.	M.	Wednesday	- - -	Ch. of 22 March, 11 Hen. III.	P.	
			F.	- - -	Eve, day and morrow of SS. Peter and Paul.			
248, Rot. 6 -	Marsfield -	Abbot of Keynsham.	M.	Tuesday	- - -	Ch. of 8 Nov. 50 Hen. III.	P.	
			F. tumbrel pillory, and assize of bread and beer, by reason of the said M. and F.	- - -	Eve, day and morrow of S. Oswald.			
251, Rot. 8 d. -	Payneswyk -	W. Fitz Warren	M.	Thursday	- - -	Ch. 8 Apr. 37 Hen. III.	P.	
			F.	- - -	Eve, day and morrow of the Assumption.			
253 Rot. 10 -	Tewkesbury, Fiarford, Thornbury.	Gilbert de Clare E. of Gloucester.	M.	- - -	- - -	Prescription -	A.	
			F.	- - -	- - -	Do.		
Do. -	Chercheden -	Archbishop of York.	F.	- - -	Eve, day and morrow of S. Bartholomew the Apostle.	Ch. 6 Apr. 36 Hen. III.	P.	
254, Rot. 11 d. -	Frompton Cotelee.	M. Walerandat	M.	Monday	- - -	Ch. 12 June 13 Edw. I.	P.	
			F.	- - -	Eve, day and morrow of S. Thomas the Martyr.			
255, Rot. 12 -	Wotton -	Th. de Berkleye	M.	Friday	- - -	Ch. 2 Aug. 36 Hen. III.	P.	
			F.	- - -	Eve, day and morrow of Exaltation of the Cross.			
256, Rot. 12 d. -	Berkeley -	" "	M.	Monday	- - -	Ch. of Henry II.	P.	[Note 26.]
			F.	- - -	Eve, day and morrow of Nativity of the Virgin.	Prescription -	A.	
			F.	- - -	Thursday in Whitsun Week.	Do.	A.	
259, Rot. 14 d. -	Tutbury -	W. de Breuse	M.	- - -	- - -	Prescription -	P.	
			F.	- - -	- - -	Do.	P.	
263, Rot. 17 -	Tokynton -	Hugo de Pointz	M.	Tuesday	- - -	Ch. 10 Feb. 9 Edw. I.	P.	
			F.	- - -	Eve, day and morrow of S. Nicholas, and eve, day and morrow of Translation of S. Nicholas.			
263, Rot. 17 -	Newent -	Abbot of Corneleyes.	M.	Tuesday	- - -	Ch. 16 June 37 Hen. III.	P.	
			F.	- - -	Eve of S. Peter ad Vincula and 3 days following.			
264, Rot. 18 d. -	Melbury -	Thomas de Weylaund.	M.	- - -	- - -	Charter -	A.	Adjourned for production of charter.
			F.	- - -	- - -			

26. [Berkeley.] Et quo ad mercatum in B. et similiter quo ad hundredum de B. dicit quod predicta mercatum et hundredum clamant habere per cartum Regis Henrici filii Imperatricis quam profert et que testatur quod idem dominus Rex dedit et concessit Roberto filio Hard' et heredibus suis Berkelay et totam Berkelaiernesse manerium cum omnibus appendiciis suis plene et integre sicut erat in tempore Henrici Regis avi sui, tenendum in feodo. Et preterea dedit idem Rex et concessit eis habere in predicto manerio liberum marchium, cum omnibus libertatibus que ad marchium pertinent, quascunque die in septimana voluerint. Et quo ad feriam in Berkle dicit quod clamant predictam feriam ibidem habere ab antiquo, eo quod ipse et omnes antecessores sui a tempore feoffamenti predicti extiterunt in seisinis de predicta feria. . . . Et quo ad mercatum quod clamant in Berkelay dicit quod tenet eum per diem Lune singulis septimanis et hoc per cartam Regis H. patris domini Regis Richardi et similiter per cartam predicti Regis Richardi quas profert et que hoc testantur. Et quia ostendit sufficiens warrantum et testatur quod eo usi sunt. Ideo ad presens inde sine die salvo, etc. Et quo ad feriam ibidem dicit quod clamant eam tenere in vigilia in die et in crastino Nativitatis Beato Marie, etc. Et aliam feriam die Jovis in septimana Pentecostes et illas clamant ab antiquo, &c. Et Willielmus Inge qui sequitur, &c. dicit quod longa seisinis in huiusmodi [rebus] non potest ei valere sine speciali warranto et petit iudicium. Dies datus est ut supra.

[Berkeley.] And as to the market at Berkeley and also as to the Hundred he says that he claims to have the said market and hundred by a charter of King Henry II. which he produces and which testifies that the said King granted to Robert FitzHardinge and his heirs Berkeley and all Berkelaiernesse as a manor with its appurtenances, &c. as it was in the time of King Henry his grandfather to hold in fee, &c. . . . and further the same King gave and granted to him and them to have in the said manor a free mart with all liberties which pertain to a mart, on every day in the week. . . . And as for the fair in Berkeley he claims to have it there from ancient times because he and all his ancestors from the time of the grant aforesaid have been in seisin of the said fair. . . . And as to the market which he claims in Berkeley he says that he holds it on Monday in every week and this by charter of King Henry the father of King Richard and likewise by a charter of the said King Richard both of which he produces and they testify accordingly, and because he shows sufficient warrant and gives testimony of user therefore for the present let him go free without a day saving the King's right. And as to the fair there he claims to hold it on the eve, day and morrow of the Nativity of the Virgin, and another fair on Thursday in Whitsun week, and he claims them from ancient times, &c. And W. I. the King's attorney says that in such matters length of seisin cannot avail without a special warrant and craves judgement, and a day is given to him.

COUNTY OF HERTFORD.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Plac. de Jur. et Ass. Mich. 6 Edw. I. P. 277, Rot. 35	Estwick	Ric. Tany	M. F.	Tuesday	- - - Eve, day and morrow of St. Botolph.	Ch. of Hen. III.	P.	
278, Rot. 35	Staundene	Ric. de Heydon	M.	- - -	- - -	- - -	A.	Jury trial ordered.
278, Rot. 35 d.	Bigrave	John de Wengham.	M. F.	Monday	- - - - - -	Prescription - Do.	P.	
279, Rot. 36	Watton	Rob. Aguylon	F.	- - -	- - -	Ch. of Hen. III.	P.	
280, Rot. 36 d.	Codikote	Abbot of St. Albans.	M. F.	- - - - - -	- - - - - -	Do. Do.	P.	
280, Rot. 36 d.	La Bernette	"	M.	- - -	- - -	Ch. of John	P.	The charter gave "nundinas . . . cum omnibus exitibus qui inde poterunt provenire, ita liberas et quietas sicut aliquæ nundine liberes et quietiores sunt in terra Angliæ."
280, Rot. 37	Baudak	Master of the Temple.	F.	- - -	S. Matthew's Day and four days following.	Ch. of Hen. III.	P.	
283	Royston	Prior of Royston.	M. F.	Wednesday	- - - Eve and day of S. Thomas the Martyr.	Ch. of Ric. I. Ch. of Hen. III.	P.	
			F.	- - -	Whitsun Week.	Ch. of Ric. I.	P.	
			M.	- - -	- - -	Ch. of Edw. the Confessor.	P.	[Note 27.]
Plac. 15 Ed. I. P. 288, Rot. 19 d.	Essewell	Abbot of Westminster.	M.	- - -	- - -	- - -	P.	

27. [Essewell.] Et quo ad predictum mercatum dicit quod Sanctus Edwardus quondam Rex Angliæ contulit eis manerium de Essewell cum predicto mercato, et quo ipse et omnes predecessores sui semper postea mercatum illud habuerunt et illo usi sunt hucusque : et vicecomes hoc idem testatur. Ideo predictus abbas inde sine die, &c.

HUNTINGDONSHIRE.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
Plac. de Quo Warr. Mich. 14 Edw. I. P. 298.	Jalleslee	Abbot of Thorney.	M. F.	Thursday	- - - Five days yearly.	Ch. of William the Conqueror. Ch. of 11 th Henry III.	P.	"On inquiry if he has gallons and other judicial instruments, he says he has gallons at Jalleslee 'ratione hundredi sui' . . . and tumbrel and pillory there 'ratione mercati sui.'" [Note 28.]
	Wodeston	- - -	M. F.	Wednesday	- - - Eight days yearly.	Ch. of 6th Aug., 52 Henry III., with proof of seisin.	P.	
299	Berkesworth	Simon Fitz Richard.	M. F.	Tuesday	- - - Whit Monday and Tuesday.	9 Jan., 40 Henry III., and proof of seisin.	P.	
301	St. Neots	Prior of St. Neots.	M. F.	Thursday	- - - Eve, day and morrow of Ascension, and eve, day and morrow of St. Peter ad Vincula.	Ch. of Henry I. Prescription -	P. A.	

28. [Jalleslee.] Dominus W. Rex Conquestor Angliæ concessit ecclesie S. Marie Thornensis mercatum ad manerium suum de Jalleslee quietum et tranquillum cum saka et soka et theolonio et omnibus consuetudinibus suis et hoc die Jovis, etc.

29. [St. Neots.] "H. Rex primus concessit Monachis S. Neoti unum mercatum in villa que antiquitus vocabatur *Ernulphiberia* et que modo vocatur villa S. Neoti . . . Et quo ad feriam . . . profert cartam H. Regis primi in qua continentur hec verba: Precipio quod faciatis monachos habere de illis qui ad mercatum suum et ad feriam suam venerint theolonium et stallagium et alias rectas consuetudines suas quas habeo in meis dominiis mercatis." Dicit insuper quod habuit alias cartas regias que amisse fuerunt et deperdite infra jam 12. annis elapsis, quando campanarium ecclesie sue corruit."

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 303 -	Kinbauton -	Earl of Hereford and Essex.	M. F.	- - -	- - -	Prescription -	A.	Objection that he shows no "sufficient warrant," and that he has nothing in the said M. and F., save only by usurpation of the rights of the Crown by his ancestors.
306 -	Ramsay -	Abbot of Ramsay.	M., infra banleucam suam de Ramsay.	Wednesday	- - -	Chs. of Henry I., II., and III.	A.	The abbot claims that his "banlieu" or "league" extends "infra unam" "longatam circa ecclesiam" "S. Benedicti," and claims his right there partly by prescription, "but the king's attorney prays that he may be put to elect whether he claims "prescription" or by "privilege," for these two are inconsistent (in contrarium se habent et non est juri consonum quod quis possit se per duos baculos defendere).
306 -	St. Ives -	- - -	F.	- - -	- - -	Ch. of Henry I. (granting "his fair at St. Ives,") and Ch. of 7 May, 43 Henry III.	E.	[Note 30.]
308 -	Botolbrigg -	J. de Drayton	Toll.	- - -	- - -	Prescription to take 1d. for each ship.	A.	
	Alwalton -	Abbot of Peterborough.	M., and ship-toll called "cayagium."	Friday	- - -	Charters of 37 and 52 Henry III.	A.	

30. [*St. Ives.*] "Et super hoc veniunt ballivi domini Regis de Hunte-ton' et dicunt quod sunt in seisinâ nomine Regis de theolonio capiendū in predicta feria quod . . . spectat ad villam de H. . . ita quod iidem ballivi portare debent quandam nigram virgam in predicta feria et colligere theolonium per totam feriam sicut continetur in carta Henrici [III.] . . . Et abbas dicit quod revera debent portare predictam virgam set non debent colligere theolonium nisi ad exitum ville. Et super hoc dictum est ballivis predictis quod capiant theolonium secundum propositum carte domini Regis quam inde habent. Et dies datus est predicto abbati de audiendo iudicio suo, &c."

KENT.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 310 (Plac. de Quo Warr. 4 Edw. II.) P. 310, Rot. 1d.	Eynesford -	W. Puge and M. de Oriel.	M. F.	Friday	- - -	Prescription	P.	
312, Rot. 2 d. -	Malling -	Abbess of Malling.	M. F.	Wednesday and Saturday.	- - - Eve and day of S. Peter ad Vincula, eve and day of S. Martin, and eve and day of S. Leonard.	Do. Do.	P.	[Note 31.]
	Shipburn -	R. de Bavent	F.	- - -	Eve, day, and morrow of S. Giles.	Ch. of Aug. 1., 13 Edw. I.	P.	
	Wateringbury -	H. de Leyburn	M. M. F.	Monday Tuesday	- - - Eve, day, and morrow of Nativity of S. John Baptist.	Ch. of Edw. II.	P.	Fair is claimed for two days only
313, Rot. 3 d. (and 316, Rot. 5.)	Clecumbe -	B. de St. Leger	M. F.	Friday	- - - Eve, day, and morrow of All Saints.	- - -	A.	
	Newenham -	J. de Champagne.	M. F.	Thursday	- - - Eve and day of SS. Peter and Paul.	Ch. of 20 Oct., 31 Edw. I.	P.	
314, Rot. 4 -	Cumbwell -	Prior of Cumbwell.	P. with "theolonium, terrarium, and stallagium."	- - -	Day and morrow of S. Mary Magdalen.	Ch. of 11 Henry III., for the fair, and evidence of user as to rights exercised there.	P.	

31. [*Malling.*]—In the "Bill" of Franchises, which appears at p. 343, "the eve, day, and morrow of S. Matthew" appears instead of the second date.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 314, Rot. 4 -	Mereworth -	John de Mereworth.	F.	- - -	Eve, day, and morrow of S. Lawrence.	Ch. of 18 July, 18 Edw. I.	P.	
315 - - -	Faversham -	Abbot of Faversham.	M. F. Toll.	- - -	- - - S. Peter ad Vincula and 7 days following.	Ch. of Henry II. for the fair, and prescription for the rest.	P.	
317, Rot. 6 -	Sentlyng Crey -	Reginald de Bokesle.	M. F.	Wednesday - - -	- - - Eve, day, and morrow of the Assumption.	Ch. of 4 July, 9 Edw. I.		
318, Rot. 7 -	Plumstead -	Abbot of St. Augustine.	M. F.	Tuesday - - -	- - - Eve, day, and morrow of S. Nicholas.	- - -		[Note 32.]
	Canterbury -	Do.	F.	- - -	Feast of the Translation of S. Augustine.	- - -		
	Menstre in Thanet.	Do.	M. F.	Friday - - -	- - - Eve and day of S. Mildred.	Chs. of Edward the Confessor, of Henry III., of John (by Inapeximus), and of 22nd May, 6 Edw. II., which last confirmed all rights.	P.	
320, Rot. 8 d. -	Lenhem -	Do.	M.	Tuesday				
	Rochester -	Brother John, Prior of the Church of Rochester.	Pre-emption and toll.	- - -	- - -	Allowance in a former iter.	P.	The right maintained is, "to have one fourth of the moneys arising from toll in the said city by land and water, one fourth of the receipts of the passage of the water at the Broken Bridge, one fourth of the issues of the bailiwick of the city (except the King's gavel), the whole toll arising from the two days fair of S. Paulinus, free portage for his goods into the city, and pre-emption next after the King and his servants in buying his victuals in the city." See also the Bill of Franchises, which appears at p. 351.
	Frendesbery -	- - -	F.	- - -	Unnamed	Do.		
	Stoke -	- - -	F.	- - -	Do.	Do.		
	Woldham -	- - -	F.	- - -	Do.	Do.		
	Southfleet -	- - -	F.	- - -	S. Nicholas Day.	Do.		
	Deniton -	- - -	F.	- - -	Unnamed	Do.		
321, Rot. 9 -	Chilham -	B. de Badesmere.	M. F.	Tuesday - - -	- - - Eve of the Assumption, and 8 days following.	Ch. of Edward I.	- - -	The whole proceedings are removed into Parliament by writ of 6 Feb., 7 Edw. II.
Do.	Erthe -	Do.	M.	Tuesday	- - -	Prescription	- - -	[Note 33.]
Do.	Kingston -	Do.	F.	- - -	Eve and day of S. Giles.	- - -		
Do.	Whitstable -	Do.	Toll, and a toll free fish market at Canterbury.	- - -	- - -	- - -		
323, Rot. 10	Lillechurche -	Prioress of Hegham.	F. and toll.	- - -	Eve, day and morrow of Michaelmas.	Ch. 4 Sept., 17 Edw. I.	P.	
323, Rot. 10 d. -	Huntyngdon -	John de Lenham.	M. F.	Tuesday - - -	- - - Eve of Assumption and 4 following days.	Prescription	- - -	It is erroneously alleged that they were allowed on the last iter. The M. is disallowed and the F. restored to the claimant on a fine of 1 mark, its annual value having been found by the jury to be 3d.

32. [Plumstead, &c.] The abbot's claim includes "theolonium in precinctu maneriorum suorum ubi dari debet et consuevit et consuetudinem que dicitur theames," which he refers to the words "thol and theames" in Edward the Confessor's Charter, and the words "theolonium suum in terra et in aqua et consuetudinem que, dicitur themes super omnes allodarios quod eis habuit datos" in the Charter of John.

33. [Whitstable.] Et quo ad hoc quod clamat habere quandam libertatem in Villa Cantuarii pertinentem ad manerium suum de W. quod omnes tenentes sui piscaria habebunt quandam placeam in regia strata inter ecclesiam Omnium Sanctorum et ecclesiam St. Andreæ continentem in longitudine 80 pedes et in latitudine tres pedes eorum vendentes absque tolno alicui dand &c. dicit pro domino Rege quod . . . non est regale nec libertas . . . immo potius debet dici liberum tenementum. &c.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 324, Rot. 11.	Newenden	G. le Waleys	M. and toll	Thursday	- - -	Prescription	P.	
325, Rot. 11 d.	Walmer	N. de Oryel	Toll and customs.	- - -	- - -	Prescription	P.	Among the tolls are 1d. for every fisherman landing, 2d. for every hawker of fish, and 2d. for everyone landing from a ship.
	Stokberi	- - -	F.	- - -	Eve and day of S. Mary Magdalen.	Prescription	R.	Rolls of last Iter. show that the claimant's predecessor did not claim it. It is valued at 18d. yearly, and adjudged to the Crown, subject to the right of other claimants.
325, Rot. 12	Westwell	Prior of Christ Church, Canterbury.	M.	Wednesday	- - -	Prescription and allowance on previous Iter.	P.	
	Eastchurch	Do.	F.	- - -	Annunciation of Blessed Virgin Mary.			
	Apuldre	Do.	F.	- - -	S. Peter's Day in Summer.			
	Godmersham	Do.	F.	- - -	S. Lawrence's Day.			
	Rokyns'	Do.	F.	- - -	S. Mary Magdalen.			
327, Rot. 13 d.	Shorne	J. de Northwood.	M.	Thursday	- - -	Ch. of Henry III.	P.	
			F.	- - -	Eve and day of SS. Peter and Paul.			
Do.	Hertsham	Do.	F.	- - -	Eve and day of Nativity of S. John the Baptist.			
329	Orlandston	Willm. de Orlandston.	M.	Thursday	- - -	Ch. of Henry III.	R.	The jury find that there has been no user of the M. and F. granted by the charter, "therefore let Wm. be in mercy, and let them not use that M. or F. for the future."
			F.	- - -	Eve, day and morrow of the Finding of the Holy Cross.			
329	Elham	Juliana de Leyburn.	M.	Monday	- - -	Prescription.		
			F.	- - -	(Eve, day and morrow of All Saints.)			
329	Ashetford	- - -	M.	Saturday	- - -	- - -	A.	
			F.	- - -	Eve and day of the Beheading of S. John the Baptist.			
330	Sutton	A. de Valence	M.	- - -	- - -	Prescription	P.	
			F.	- - -	- - -			
332	Brencheslee	Earl of Gloucester.	M.	- - -	- - -	Do.	P.	
333	Wye	Abbot of Battle.	M.	Thursday	- - -	Ch. of William the Conqueror, and various confirmation charters.	P.	
			F.	- - -	Eve, day, and morrow of St. Gregory.			
334	Hawkhurst	- - -	M.	Tuesday	- - -			
			F.	- - -	Three days			
333	Chalok	- - -	F.	- - -	Two days			
334 (Plac. de Jur. et Ass., Hil., 7 Edw. I., Mem. 32.)	Gurest'	Will. de Monte Canvio.	M.	Thursday	- - -	Ch. of Henry I.	P.	
335 (Plac. de Jur. et Ass., Pasch., 21 Edw. I.)	East Greenwich.	Abbot of Gaunt	Toll	- - -	- - -	- - -	R.	The claim was to take "of every cart of firewood on the King's High Street 1d." as kayage; but the jury find it to be a recent extortion, and therefore abbot is in mercy.
358	Stutynges	W. de Kirkeby	M.	- - -	- - -	Disclaimed.		
			F.	- - -	- - -			
359	Wykham	- - -	M.	- - -	- - -	He vouches his lessor to warranty.	A.	
			F.	- - -	- - -			
359	Chileham	Alex. de Baliol	M.	Tuesday	- - -	Prescription	P.	
			F.	- - -	Eve of the Assumption, and 7 following days.			

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 359	Kingestun		F.	- - -	Eve, and day of St. Giles.			
360	Eastbridge	The Master of the "Domus Dei" at Dover.	M. F.	- - -	- - -	Ch. of Henry III.	P.	
361	Hoo	H. Poynts, Abbot of Reading.	M. F.	- - -	- - -	Disclaimed.		
361	Stokebury, &c.	N. de Cugel	M.	- - -	- - -	Do.		
361	Derente	Prior of Rochester.	M.	- - -	- - -	Do.		
362	Faversham, &c.	Abbot of Faversham.	M. F.	- - -	- - -	Prescription	P.	
363	Tonge	R. Fitz-Bernard.	M. F.	- - -	- - -	Disclaimed.		
363	Eynesford	R. de Sandwich, and N. de Oryel.	M. F.	- - -	- - -	Prescription	P.	
364	Cobham	W de Say	M. F.	- - -	- - -	Disclaimed.		
365	Bradstede	Karl of Gloucester.	M. F.	Thursday - - -	- - - Ascension Day.	Prescription	P.	

LANCASHIRE.

P. 369	Plac. de Quo Warr. et Reg. Trin., 20 Edw. I. Rot. 1.	Charnock	W. de Lee	M. F.	Friday - - -	- - - Eve, day and morrow of S. Botolph.	Ch. 15 Sept., 12 Edw. I.	P.	On inquiry as to user, the jury find for the claimant.
370		Ormskirk	Prior de Buraken.	M. F.	Thursday - - -	- - - Eve of Beheading of S. John Baptist, and 4 following days.	Ch. 8 Apr., 14 Edw. I.	P.	The Prior pleads that "assize of bread and ale" is a liberty appurtenant and annexed to market and fair, and prays that he may enjoy that liberty, by reason of the King's grant, on all days of market and fair. On an inquiry it is found that he has so used the franchise, and judgment is given for him accordingly.
370		Dalton in Furness.	Abbot of Furness.	M. F.	- - - - - -	- - - One on the eve, day and morrow of St. Edward the Confessor. And other fairs not described.	Prescription By charter of Henry III. By prescription	P.	Objection is taken that the abbot takes assize of bread, &c. all the year round, and not on M. and F. days only, as he should, and that he punishes by fine always, and not "per judicialia."
371		Wigan	Master Adam de Walton, Parson of Wigan.	M. F.	Monday - - -	- - - Eve of the Ascension, and 5 following days and eve and morrow of All Saints.	Charters of 30 Henry III. (erecting W. into a Borough having Gild Merchant, with house and all liberties to such a gild pertaining, &c.) and of 42 Henry IV.	P. (in part.)	The right of assize of bread, &c. on M. and F. days is allowed, but not at other times: but he is amerced for disuse of corporal punishment.
373		Ulveston	John of Lancaster.	M. F.	Thursday - - -	- - - Eve day and morrow of Nativity B.V.M.	Ch. of 8 Edw. I.	P.	
373		Stenton	John Byrun	M. F.	- - - - - -	- - - - - -	Plea of nonage	A.	
380		Ergam	Margaret de Nevill.	M. F.	Monday - - -	- - - Eve, day and morrow of Nativity of S. John Baptist.	Ch. of 8 Edw. I.	P.	Assize of bread, &c. on market and fair days "as pertaining and annexed" <i>ut supra</i> .
380		Hornby		F.	- - -	Eve, day and morrow of S. Margaret.			

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 331 -	Liverpool -	Bailiffs and Community.	M. - F.	- - -	- - -	Chs. of K. John and of Henry III.	A.	[Note 34.]
331 -	Clitheroe -	H. de Lacy -	M. F.	Saturday - - -	- - - Day and morrow of S. Mary Magdalen.	Prescription Ch. of 4 John.	P.	
331 -	Rochdale -	- - -	M. F.	Wednesday - - -	- - -	Ch. of 25 Henry III.	P.	
333 -	Warton -	Ingram de Gynes.	M.	Wednesday - - -	- - -	Plea of purparty.	A.	The King's attorney charged that the claimant had held a market at Garstang and taken "stallages, tolls, and other profits": but the jury found the contrary.
333 -	Garstang -	- - -	M.	Sunday - - -	- - -	Disclaimed.		
333 -	Kirkham -	Abbot of Vale Royal.	M. F.	Thursday - - -	- - - Eve of Nativity of S. John Baptist, and 4 days following.	Ch. of 15 Edw. I.	P.	
334 -	Lancaster -	Bailiffs and Community.	M. F.	Saturday. - - -	- - - From the eve of Michaelmas for eleven days.	Ch. of John as Earl of Moretain granting "the liberties of Bristol," followed by another as King granting instead "the liberties of Northampton," &c.	B.	The King's attorney pleads that they are holding their M. and F. on the wrong days (the fair of Northampton being at All Saints). Therefore the franchises are valued at 10 $\frac{1}{2}$ marks yearly, and seized, and restored on a fine.
335 -	Preston -	Do.	M. F.	- - - - - -	- - - Assumption and 7 days following.	Ch. of John as Earl of Moretain, and confirmation charter of 1 John (granting "the liberties on Newcastle-under-Lyne," &c.)	R.	
336 -	Warrington -	W. le Botillier	M. F.	Friday - - -	- - - Eve of S. Andrew and 7 following days.	Ch. of 41 Hen. III.	P.	
			M. F.	Wednesday - - -	- - - Eve of Transl. of S. Thomas and 7 following days.	Ch. of 13 Edw. I.		
	Luton -	Do.	M. F.	Wednesday - - -	- - - Eve, day and morrow of S. Andrew.	Ch. of 41 Hen. III.		

34. [Liverpool.] "And some of the men of the Borough of Liverpool appear for the Community: And they say that at present they have no Bailiff of themselves, but they used to have one till Edmund the King's brother deprived them and prevented them from having a free borough. . . . And for the other liberties, they say they used to have them, but the said Edmund has them now: And they say that the Lord John King, &c. at the time when the borough began to be granted by his charter which they produce to all his faithful men who had taken burgage tenements there, that they should have in the town of Liverpool all liberties and free customs which any free borough or the See has in the King's land: And the Lord Henry (III.) by his charter . . . granted that the town of Liverpool should be a free burgh for ever and that the burgesses thereof should have a merchant gild with house and other liberties pertaining to a gild: And that they should have soc and sak and thol &c. to be quit of toll, &c." Therefore the sheriffs directed to cause the said Edmund to appear, &c.: And the community are to be here to prosecute him, with the King's attorney, &c.

COUNTY OF LINCOLN.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
390 - (Plac. de Lib. et Quo Warr. Trin., 9 Edw. I.)	Holbech -	T. de Multon	M. F.	Thursday - - -	- - - Eve and day of Michaelmas.	Ch. of 31 Oct., 37 Hen. III.	P.	An allegation of misuser was negatived by the jury.

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 391 - -	Skryveleby -	Ch. Marmyon	M. F.	Tuesday - - -	- - - Eve, day and morrow of S. Benedict.	Ch. of 24 Jan., 44 Hen. III.	P.	An allegation of misuser was negatived by the jury.
394 - -	Sootere - -	Abbot of Peterborough.	M. F.	Wednesday - - -	- - - Eve, day and morrow of SS. Peter and Paul.	Ch. of Hen. III.		
	Stamford -	Do.	M.	- - -	- - -	Prescription -	Un-finished	The claim is "to take the standard of the King's market" within the manor."
	Graham -	Do.						
395 - -	Catthorp -	W. de Vesey -	M. F.	Friday - - -	- - - Eve and day of S. James.	Do.	P.	He is found to have misused the right of "standard" by fining those convicted of using false measures, whereas he ought to attach them and bring them before the King's marshal or the justices in Byre; therefore in mercy, &c.
396 - -	Baston - -	Abbot of Croyland.	M. F.	Thursday - - -	- - - Eve of Nativity of S. John Baptist and 4 days following.	Charters of Hen. III.	P.	
396 - -	Croyland -	Do.	M.	Wednesday.				
397 - -	Skytebroke -	Peter Galle -	M. F.	Friday - - -	- - - Eve of S. Matthew and 7 days following.	Ch. of 11 July, 52 Hen. III.	P.	
398 - -	Byrton - -	R. de Wykeham.	M. F.	Monday - - -	- - - Eve of S. Luke and 7 days following.	Ch. of 10 Nov., 8 Edw. I.	P.	
398 - -	Glenthams -	R. de Brackenbury.	M. F.	Monday - - -	- - - Eve, day and morrow of S. Mary Magdalen.	Ch. of 4 Feb., 6 Edw. I.	P.	
399 - -	Lutheburg -	Ric. de Breuse	M. F.	Monday - - -	- - - Eve, day and morrow of S. George.	Ch. 4 May, 51 Hen. III.	P.	
400 - -	Bul am - -	R. de Columbaris.	M. F.	Tuesday - - -	- - - Eve of S. James and 7 days following.	Ch. of 23 June, 37 Hen. III.	P.	
401 - -	Spalding -	Prior of Spalding.	M. Do. F.	Friday Tuesday - - -	- - - Eve of S. Nicholas and 14 days following, and eve of Holy Cross and 8 days following.	Ch. of 6 May, 26 Hen. III. Prescription	P.	Plea of no sufficient warrant failed. A schedule of the "toll thorough" given.
402 - -	Baston - -	Abbot of Croyland.	M. F.	Thursday - - -	- - - Eve of Nativity of S. John and 4 days following.	Ch. of 4 Oct., 41 Hen. III.	- -	(Result not stated.)
402 - -	Croyland -	Do.	M. F.	Wednesday - - -	- - - Eight days before and eight days after the feast of S. Bartholomew.	Prescription		
402 - -	Quappelade -	Do.	M. F.	Saturday - - -	- - - Eve of Assumption and 7 days following.	Ch. of 10 July, 29 Hen. III.		
404 - -	Holbach -	P. de Gonsale	M. F.	Saturday - - -	- - - Eve and day of S. Swithin.	"Within age"	A.	

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 405 - -	Thoresweye -	Elyas de Rabayne.	M. F.	Monday - - -	- - - Morrow of S. Peter and 4 following days.	Ch. of 10 May, 37 Hen. III.	P.	
405 - -	Welleburn -	Do.	M. F.	Tuesday - - -	- - - Eve of S. Chad and 7 days following.	Ch. of 29 Sept., 56 Hen. III.	R.	The jury say he has never used the fair, and he has used the market on three days only; therefore let him go to judgment.
410 - -	Ludford -	Prior de Sixle	M. F.	Thursday - - -	- - - Eve and day of S. Peter ad Vincula.	Ch. of 3 June, 36 Hen. III.	P.	
410 - -	Steynton -	Peter de Gousle	M. F.	Monday - - -	- - - Eve of S. Luke and 2 days following.	Prescription	A.	The claim is for "M. and "F. . . . with pillory "and tumbrel, and all "other liberties and free "customs to such a M. "and F. pertaining."
414 - -	Norketon -	Norman Darcy	M. F.	Tuesday - - -	- - - Eve and day of S. Mary Magdalen.	(Plea of purparty.)	A.	The claim is to "market, "and punishment of "breach of assize of bread "and beer, and other "liberties to a M. per- "taining."
415 - -	Magna Limbergh.	H. de Beaumer	M. F.	Tuesday - - -	- - - Eve, day and morrow of SS. Peter and Paul.	Ch. of 20 Oct., 41 Hen. III.	P.	The toll thorough was on salt, &c., at the rate of half a bushel from a cart of salt once yearly.
416 - -	Repinghale -	John Goband	F. M.	- - - -	- - - -	(Incomplete.)		
418 - -	Navenby -	Abbot of Fécamp.	Toll traverse	- - -	"From the 9th hour on Wednesday till the same hour on Friday."	Prescription	R.	Jury find that it was <i>not</i> an ancient toll; therefore let him go for judgment. (See also p. 422, where the <i>market</i> is mentioned.)
421 - -	Graham -	John de Warenn, Earl of Surrey.	M. F.	No days named.		A lost charter of tronage by Henry III. is spoken of; but for the rest the title pleaded is that the King held the manors with these liberties, and granted them accordingly.	A.	Plea that long seisin is not sufficient warrant.
423 - -	Swinesheved -	R. de Groille	M. F.	Thursday - - -	- - - Eve, day and morrow of S. Matthew.	Ch., 19 Aug., 11 Henry III.	A.	The claimant dies leaving his son "within age."
424 - -	Barton -	Gilbert de Gaunt.	M. F.	Monday - - -	- - - Feast of Holy Trinity, and 7 days following.	Prescription. Ch. of 28 Oct., 30 Henry III.	(Incomplete.)	
425 - -	Steynton -	P. de Goussell	M. P.	Monday - - -	- - - Eve, and day of St. Luke.	Prescription	A.	Plea of no sufficient warrant.
427 - -	St. Botolph's (at Dockedik, &c.)	John Fitz Nicholas.	Tronage and pesage.	- - -	At the fair of St. Botolph.	Prescription for 200 years, since a charter of one <i>Conan</i> , who granted to one, Richard FitzReimer, of London, a place to build on in the vill of Botolfstan, in Holyland, and all the tronage and pesage, &c.	P.	The jury find user, as a fact, for 120 years past; therefore judgment for the claimant.
427 - -	Kirketon -	- - -	"Pillory and liberties pertaining to a market."	- - -	- - -	- - -	A.	
429 - -	Stowe -	Bishop of Lincoln.	M. F.	- - - Tronage, pesage, &c.	- - -	Prescription	A.	Plea of no sufficient warrant.
429 - -	Louth -	Do.	(The like)	- - -	- - -	Do.		

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 429 -	Lafford -	Bishop of Lincoln.	F. Tronage, passage, &c.	- - -	- - -	Prescription.		
431 -	Kelying and Clypston.	Henry de Lacey.	M. F.	- - -	- - -	No appearance.		
433 -	Dunham -	W. de Valence	M. F.	- - -	- - -	Attached to the manor in the hands of the King.	A.	Plea that they could not pass by "general words."
434 (& 438)	Wermelay -	Prior of Ponefract.	F. M.	- - -	- - -	No appearance.		
436 -	Hull -	Archbishop of York.	Preemption of wine, victuals, cloth, &c.	- - -	- - -	Prescription	A.	The King claims against the Archbishop his own prices and "guagery" of wine.
438 -	Sallowe -	Bishop of Chester.	M. F.	- - -	- - -	Ch. of 2 June 43 Hen. III.	A.	
442 -	Newark -	Bishop of Lincoln.	M. F.	- - -	- - -	No appearance	A.	

LONDON.

449 -	London -	The community, &c.	- - -	- - -	- - -	(Claim of liberties fully set out).	A.	
455 -	Gildhalla Teutonicorum.	The Merchants of Germany.	- - -	- - -	- - -	Do.	A.	
457 -	-	The Hatmakers of Fleet Street.	- - -	- - -	- - -	Do.	A.	
465 -	-	The Weavers	- - -	- - -	- - -	Do.	A.	
467 and 468	The fish wharf	The Fishmongers.	- - -	- - -	- - -	Do.	A.	
469 -	-	The Citizens of Cologne.	Freedom of buying and selling in London.	- - -	- - -	Letters Patent of 16 Feb. 5 Richard I.	A.	
469 -	Smithfield -	Prior of St. Bartholomew.	F.	- - -	Eve, day and morrow of S. Bartholomew.	Prescription, supported by Ch. of Henry III., &c.	P.	

COUNTY OF MIDDLESEX.

476 -	Coleham at Uxbridge.	H. de Lacy -	M. F.	Thursday	- - -	Prescription -	P.	
	(Plac. de Quo Warr. 22 Edw. I.)				Eve, day and morrow of S. Margaret.			
476 -	Uxbridge -	- - -	M. F.	Monday	- - -	Ch. of 22 Edw. I.	P.	
					Eve and day of Michaelmas.			
477 -	Hosp. of St. James by Westminster.	The Master -	F.	- - -	Eve of S. James and 6 days following.	Ch. of Edw. I.	P.	
479 -	Staines -	Abbot of Westminster.	M. F.	Friday	- - -	Prescription.		
					Eve of Nativity B.V.M., and 3 days following.	Ch. of Henry III.	P.	
480 -	Westminster	- - -	F. and toll.	- - -	From the eve of S. Edward for 15 days	Ch. of Henry III.	- -	The fair is granted with the same customs as belonged to the fair of S. Giles at Winchester.

COUNTY OF NORTHAMPTON.

500 -	Thrapston -	R. de Vere -	M. F.	Tuesday	- - -	Long seisin -	P.	
					Eve, day and morrow of S. James.			
500 -	Mersheton -	Dean of Lincoln.	Standard	- - -	- - -	- - -	- -	An inquiry as to user of the right of standard, and the "burning of false measures."

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 502	Sybertoft	T. de Curson	M. F.	Saturday - - -	- - - Eve and day of finding of Holy Cross.	- - -	R.	He disclaims, but is charged with having held M. Verdict of non-user returned.
505	West Haddon	Prior of Daventry.	M.	Thursday	- - -	Ch. of 20 Edw. I.	P.	
512	Wollaveston	Th. de Berkley	M. F.	Tuesday - - -	- - - Eve, day and morrow of Michaelmas.	Ch. of Henry III.	P.	
513	Bricklesworth	J. de Verdan	M. F.	Tuesday - - -	- - - Eve, day and morrow of S. Boniface.	Ch. of Henry III.	- - -	Plea that they have held the fair for a longer period negatived, but seized for misuse by fining (up to 2s.) for breach of assize.
517	Langeport	The Trussel	Standard	- - -	- - -	- - -	- - -	"Being asked if he has standard of measures and weights, he says he has gallon, pottle, and quart only . . . and punishes transgressors by fine and burning the false measures."
518	Wendlingbury	Abbot of Croyland.	M.	Wednesday	- - -	Ch. of King John.	P.	
520	Luffeld	Prior of Luffeld	F.	- - -	Eve, day and morrow of the Exaltation of Holy Cross.	Ch. of Henry III.	- - -	
523	Towcester	W. de Clynton	M. F.	Tuesday - - -	- - - Eve and day of S. Lawrence.	Long seisin	A.	Allegation that the fair was held before and after the stated time.
526	Wynewyk	J. Cardon	"Tollage" of fish and salt.	- - -	- - -	Prescription as appurtenant to his manor.	P.	Plea that he could not have it without a market or other sufficient cause; and allegation of misuser; but the jury find for the claimant.
526	Upton	N. de Cancellis	(The like)	- - -	- - -	Do.	P.	
529	Bolewyc	W. la Zouche	M. F.	Thursday - - -	- - - Eve, day and morrow of S. Matthew.	Ch. of Edw. I.	P.	
537	Lilleburn	Matilda de Holond, &c.	M.	Monday	- - -	Prescription	P.	Verdict for the M. "with toll and fines called <i>Nortemannemot</i> ;" but they are in mercy, because they have no pillory, though they use that of the honour of Lancaster for outpurses, &c.
545	Thynden	L. de St. Maur	M.	Thursday	- - -	- - -	A.	
547	Fotheringay	John, Earl of Richmond.	M. F. Standard.	Wednesday - - -	- - - Eve, day and morrow of Michaelmas.	Ch. of Edw. II.	P.	
551-7	Peterborough	The Abbot of Peterborough.	M. F.	Saturday - - -	- - - Eve of SS. Peter and Paul, and 8 days following.	Several charters of Richard I., Henry III., &c.	A	The arguments on a number of pleas, and also the schedule of tolls for Oundle, are set out in full.
	Do.	Do.	P.	- - -	Day of S. Oswald, and 7 days following.			
	Ozney	Do.	F.	- - -	Eve of the Nativity B.V.M., and 7 days following.			
	Oundle	Do.	F.	- - -	Morrow of Ascension Day, and 14 days following.			
			M. Thoroughtoll	Saturday Daily.	- - -	(Charter of King Edgar set out.)		
	Northholm	Do.	M. F.	Thursday - - -	- - - Eve and day of S. Matthew.			

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair	Title pleaded by Claimant.	Result.	Notes.
Pp. 551-7 -	Depyng	The Abbot of Peterborough.	Toll.					
	Ketingge	Do.	M.	Friday				
557	Sutton	Emelina Longespee.	M. F.	Monday - - -	- - - Eve, day and morrow of S. James.	Ch. of Henry III.	P.	
554	Welleford	W. de Wyvill	M. F.	Friday - - -	- - - Eve, day and morrow of the Assumption.	Ch. of Hen. III.	P.	
559	Twywell	H. de Walmesford.	Toll of salt sold in T.	- - -	- - -	Prescription	P.	
570	Duston	Abbot of S. James by Northampton.	F.	- - -	Eve, day and morrow of S. James.	Ch. of Hen. III.	P.	
571	Rothwell	H. de Audley	M. F.	Monday - - -	- - - The Feast of Holy Trinity and 2 days following.	- - -	P.	
572	Daventry	Ol. de Ingram	M. F.	Wednesday - - -	- - - Eve of S. Augustine and 2 days following.	Ch. of King John and allowance of previous Iter.	P.	
573	Wardon	T. de Latimer	M.	Tuesday	- - -	Long seisin	P.	
577	Bukkeby	R. Baaset	M. F.	Tuesday - - -	- - - Feast of S. John Baptist.	Do.	P.	
578	Aynhoe	J. de Clavering	M. F.	Tuesday - - -	- - - Eve and day of Michaelmas.	Ch. of Edw. II.	P.	
583	Cugeho	Egidius de C.	Toll	- - -	- - -	No appearance	R.	

COUNTY OF NORTHUMBERLAND.

587	Alnwick	W. de Vesey	M. F.	Tuesday - - -	- - - Eve of Beheading of S. John Baptist and 7 days following.	Ch. of Hen. III.	P.	
	Chatton	Do.	M. F.	Wednesday - - -	- - - Eve of Beheading of S. John Baptist and 7 days following.			
589	Werk	R. de Ros	M. F.	Tuesday - - -	- - - 3 days from Whit Sunday.	Ch. of Hen. III.	P.	
	Morpeth	J. de Craystok	M. F.	Wednesday - - -	- - - S. Margaret's Day (extended later to 2 days).	Two. Chs. of John.	P.	
595	Newbigging	Agnes de Valence.	M. F.	Monday - - -	- - - Eve, day and morrow of S. Bartholomew.	Ch. of 53 Hen. III.	P.	
601	Wollovere	W. de Huntercombe.	M.	(No day)	- - -	Prescription	A.	
602	Wytton	R. de Somerville.	M. F.	Monday - - -	- - - Eve of S. Lawrence and 4 days following.	Ch. of 18 Edw. I.	P.	
603	Elinedon	- - -	M. F.	Tuesday - - -	- - - Eve and day of Nativity B.V.M.	(Default of appearance.)		

Reference.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
P. 604 -	Durham -	Bishop of Durham.	M. F.					
	Bedlington -	- - -	M. F.	No details	- - -	- - -	A.	
	Norham -	- - -	M. F.					
	Hertepol -	R. de Bruce (in the bishop's liberty).	M. F.	Do.	- - -	- - -	A.	
	Barnard Castle	John, K. of Scotland. Do.	M. F.	Do.	- - -	- - -	A.	

NOTTINGHAM.

614 -	Colston Basset	R. Basset	M. F.	Friday	- - -	Ch. of Edw. I.	P.	
					Eve of S. Faith, and 2 days following.			
616-627 -	Blide -	Prior of B. -	M. F. Toll.	Thursday	- - -	Prescription.		
					Eve of S. Denys and 2 days following, and eve of Ascension Day and 2 days following.			
618-623 -	Nottingham -	Mayor, &c. -	- - -	- - -	- - -	(Full account of the borough claims.)		
627 -	Worksop -	T. de Furnivall	M. F.	Wednesday	- - -	Ch. of Edw. I.	P.	
					Eve of S. Cuthbert and 7 days following.			
629 -	Estbriiggford -	P. de Caltoft	M. F.	Tuesday	- - -	Ch. of Edw. III.	P.	
					Eve of S. Barnabas and 2 days, and S. Luke's Day and 2 days.			
629 -	Retford -	Burgesses -	M. F. Toll.	Saturday	- - -	Ch. of Hen. III.	-	(A full account of the borough claims is given.)
					Eve of S. Gregory and 7 days following.			
-	Sutton-on-Trent.	B. de Monboucher.	M. F.	Monday	- - -	Ch. of Edw. II.	P.	
					Eve and day of S. James.			
633 -	Tuxford -	T. de Bokeryuk, &c.	M. F.	Monday	- - -	Ch. of Hen. III.	P.	
					Eve and day of Finding of Holy Cross.			
634 -	Stockliah -	S. de Bereford	Piepowder Court.	- - -	- - -	- - -	P.	"For merchants travelling by the water of Trent, &c."
639 -	Marnam Chaunth.	Th. de Chaunth	M. F.	Friday.	- - -			
					Eve and day of S. Giles.			
640 -	Dunham -	Maria of Valence.						
643 -	Lenton -	Prior de L. -	F.	8 days at Martinmas.	- - -	Ch. of Hen. II., &c.		
644 -	Southwell -	Archbp. of York.	M. F.					
648 -	Northwell.							
651 -	Granby.							
654 -	Warsop.							
660 -	Newark -	Bishop of Lincoln.	M. F.	Wednesday	- - -	- - -	-	Full account of the Wapentake of Newark and of its liberties

Place.	Manor.	Claimant.	Market, Fair, or other Claim alleged.	Time of Market.	Time and Duration of Fair.	Title pleaded by Claimant.	Result.	Notes.
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RUTLAND.

P. 672	Market Overton.	G. de Umfravill	-	-	-	-	-	No franchise of M. is spoken of, but the claimant says that "he does not receive the standard of the King's marshal."
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SHROPSHIRE.

P. 675 (Plac de Jur. 20 Edw. I., Rot. 23 d.)	Eston Boterel	Richard Boterel.	M.	Tuesday	-	Ch. of Hen. III.	P.	
			F.	-	Eve, day and morrow of Michaelmas.			
675	Dratton	Abbot of Combermere.	M.	No days named.		Do.	P.	
			F.					
677, Rot. 24 d.	Worthyn Ministrelle.	Peter Corbet	M.	Wednesday	-	Charters of Henry III.	P.	
			F.	-	Eve, day and morrow of SS. Peter and Paul.			
Do.	Shelve	Do.	M.	Friday	-	Do.	P.	It is stated that Shelve is a "member" of Worthyn.
			F.	-	Eve, day and morrow of the Finding of the Holy Cross.			
678, Rot. 25	Ludlow	Theobald de Verdun, &c.	F.	No days named.	-	"Within age"	A.	
			M.					
Do.	Hodenet	W. de Hodenet	M.	-	-	Ch. of Henry III.	P.	
Do.	Newburgh	Nich. de Aldeleye.	M.	-	-	Ch. of Henry III. granting the manor, with proof the King held M and F. there when it was in his hands.	A.	The King's attorney says there is no special mention of these franchises in the charter.
			F.					
Do.	Attingeham	Abbot of Lilleshall.	M.	(Disclaimed)	-	Ch. of Henry III.	P.	
			F.	-	St. Giles Day and two days following.			
682, Rot. 27 d.	Forseta Monachorum.	Abbot of Shrewsbury.	M.	(Disclaimed)	-	Prescription	R.	The King's attorney says he cannot prescribe up to the Conquest, for the house has obtained its lands and liberties by grants from others, and it shows no "speciale factum" of the King.
			F.					
684, Rot. 28 d	Wenlock	-	M.	Monday	-	Ch. of Henry III.	P.	
			F.	-	Eve, day, and morrow of S. John the Baptist.			
	Eton	-	M.	Thursday.				

SOMERSET.

P. 688, (Plac. de Jur., 8 Edw. I.)	Nony	H. de Montfort.	M	Wednesday	-	Ch. of Henry III.	P.	
			F.	-	Eve, day, and morrow of Martinmas.			
690	Gynele	Master Walter Maltravers.	M., withot toll	-	-	Prescription	P.	[Note 35.]
691	Crewkerne	H. de Curtenay	M.	(No days named.)	-	Prescription	R.	"The Court does not find there is sufficient warrant."
			F.					
693	Brugewiant	R. de Mortimer.	M.	-	-	Plea of purparty.	A.	
			F.					
	Milverton	-	M.					
			F.					
694	Stok.	W. de Fiennes	M.	-	-	Ch. of Henry III.	P.	

35. [Gyvele.] Et quo ad . . . emendas assise . . . pillorium tumberellum et morcatum sine teloneo dicit quod ipse et predecessores sui persone predictas ecclesias a tempore quo non extat memoria ipsis libertatibus, &c. . . Et iuratores . . . dicunt quod hiis libertatibus usi sunt plene cum iudicio faciendo cum tumberello et pillorio quando necesse fuit.

XII.

EXTRACTS from the CHARTERS of the CITY of CARLISLE.

1. Writ from the Chancery Fine Roll, 5 Hen. III., m. 2.

(Writ of 29th September.)

Rex Vicecomiti Cumberland'.—Scias quod per inquisitionem factam . . . plenius didicimus quod eo tempore quo cives nostri Carlolienses habuerunt civitatem nostram Carloli' ad firmam pro iii. libris per vicecomitem nostram Cumberland', ipsi cives habere solebant una cum civitate duo molendina que sunt sub civitate et quandam piscariam que est super Eden et theoloneum comitatus pertinens ad firmam ville faciendam. Cum igitur concesserimus predictis civibus . . . civitatem Carloli' cum pertinentiis ad firmam quamdiu nobis placuerit pro lx. libris . . . et intelleximus per eandem inquisitionem quod predicta duo molendina, piscaria super Edenam et theoloneum comitatus pertinere consueverunt ad firmam ville faciendam . . . tibi precipimus quod predictis civibus . . . plenam saisinam habere facias de civitate, &c., cum in theloneo, &c. Teste H. apud Westmonasterium xxix. die Septembris.

2. From the Patent Roll, 26 Edw. III., pl. 1., memb. 21.

Rex omnibus . . . Sciatis quod cum compertum sit per inquisitionem . . . quod cives civitatis nostrae Carloli' habuerunt et habere consueverunt inter libertates et consuetudines ad dictam civitatem spectantes plenam returnam omnium brevium . . . et unum mercatum bis in qualibet septimana . . . et feriam ad festum Assumptionis B. Mariæ quolibet anno per 15 dies . . . ac liberam gildam et liberam electionem majoris et ballivorum suorum infra dictam civitatem et duos coronatores emendas assise panis vini et cerevisie fractæ, furcas, infangenethef, ac etiam tenere placita corone . . . et esse quieti de omnibus finibus et amerciamentis comitatus et sectis comitatum et wapentachium et quod debent tenere placita frisce forcie de libero tenemento infra dictam civitatem . . . quodque ballivi ejusdem civitatis possunt implacitare coram se breve nostrum de recto patens et breve de dote secundum consuetudinem civitatis predicti et quod habent . . . communiam pasture . . . quodque quilibet liber homo potest esse plegius alterius ad primam curiam in placitis transgressionum convencionum vel debiti; et quod cives ejusdem civitatis quieti sunt per totum regnum nostrum Anglie de theolonio pontagio passagio lestagio cariagio muragio et stallagio de quibuscunque rebus et mercimoniis suis, et quod iidem cives habent quendam locum dicte civitati annexum vocatum 'le Batailholm' qui servit mercato et feriis omni tempore pro voluntati civium predictorum; et quod omnia tenementa sua in dicta civitate sunt divisibilia et legari possunt, quodque predictas libertates . . . habuerunt a tempore quo memoria non existit in auxilium civium civitatis et firme ejusdem; et quod habent molendinum civitatis predicti, et piscariam regis in aqua de Eden, theolonium intrinsecum et forinsecum vocatum Thurghtol, firmas mensuras gavalyeld et minutas firmas civitatis predictæ ut parcelas firme civitatis, et quod dicti cives . . . habuerunt omnes libertates et proficua predicta a tempore quo non existit memoria quousque per Thomam de Lucy nuper vicecomitem nostrum Cumberland' a^o rⁱ nⁱ Anglie 23^o. . . impediti fuerunt, &c. (then follow words of confirmation in the like form) Teste rege apud Westm' vii^o. die Februarii —per breve de privato sigillo.

3. From the Patent Roll, 21 July, 13 Car. 2.

CHARLES, &c: To all to whom these present letters shall come, greeting. We have inspected the Charter of Lord Edward, formerly King of England, our progenitor son of King Henry, to the citizens of the city of Carlisle made in these words:

Edward, by the grace of God, King of England, Lord of Ireland, and Duke of Aquitain: To all to whom these present letters shall come greeting. We have inspected the tenor of a charter enrolled in chancery of the, . . . Lord Henry, formerly King of England, our father, of the thirty-fifth year of his reign, which

our said father made to his citizens of Carlisle in these words:

Henry, by the grace of God, King of England, Duke of Normandy and Aquitaine and Earl of Anjou, to all to whom these present letters shall come, greeting. Because we have understood by the inquisition which we have caused to be made, that our citizens of Carlisle are, by the Charter of King Henry, our grandsire, which was burnt by fire in our city of Carlisle by misfortune, acquitted of toll, passage, pontage, and all customs belonging to us, and that they ought and have been accustomed to have of our dead wood to make their fire reasonable estover through divers places in our forest of Carlisle, and likewise timber to build with without waste of our forest by the assignment of our servants and foresters in divers places yearly. And that they likewise have a free merchants' guild, so that thereof they answer nothing to anyone, and that they have hitherto freely enjoyed all the aforesaid articles, liberties, and customs: Therefore we grant to our aforesaid citizens all those liberties and customs, and by this our charter do confirm them for us and our heirs: Willing that they hereafter enjoy and use all the aforesaid liberties and customs freely, quietly, well, and peaceably and wholly for ever with all other liberties and free customs to the said town of Carlisle belonging: These being witnesses. The worshipful Father Richard, Bishop of Winchester . . . and others. Given under our hands at Windsor, the 26th day of October, in the thirty-fifth year of our reign.

And because that charter was unfortunately burnt in the late fire of the said town, we, of our special grace, have caused under our seal the tenor of the said charter to be testified word for word. . . . Witness ourself at Westminster, the 28th day of June, in the twenty-first year of our reign.

We have also inspected the letters patent of Lord Edward, our grandsire, late King of England, made to the same citizens in these words.

Edward, &c. . . To all to whom these present letters shall come greeting. Know ye that whereas it hath been found by inquisition by our beloved and faithful Richard de Denton, and John de Hayngton, taken by our mandate and returned into our chancery, that the citizens of our city of Carlisle have had, and been accustomed to have, among the liberties and customs to the said city belonging, full return of all writs, as well summonses from the Exchequer as other writs whatsoever; and a market twice in every week (to wit) on Wednesday and Saturday, and a fair at the Feast of the Assumption of the Blessed Mary in every year for 15 days next after the said feast; and a free guild and free election of their mayor and bailiffs within the said city; and two coroners for assising of bread, wine, and beer, the judging and punishing of felons and thieves, and also to hold pleas of our crown, and to do and exercise all things which belong to the office of sheriffs and coroners within the aforesaid city; and also the chattels of felons and fugitives condemned in the said city, and to be acquitted of all fines and amerciaments of the county, and suits of the county and wapentake; and that they ought to hold pleas of forcible entry of free tenement within the said city if the complaint be entered within forty days next after the disseisin is made; and that the bailiffs of the said city may implead before themselves our writ of right patent and writ of right of dower according to the custom of the said city; and that they have, and have been accustomed to have, common of pasture for all kinds of their cattle at all times of the year upon our moor, and there to dig turves, and them to take away at their pleasure; and that every freeman may be pledge for another at the first court in pleas of breach, covenant, or debt, and that the citizens of the said city be acquitted through our whole kingdom of England of toll, pontage, passage, lastage, keyage, carriage, wallage, and stallage, of whatever their things and merchandises; and that the same citizens have a certain place annexed to the said city called Batailholm, which serves for markets and fairs at all times at the will of the said citizens; and that all their tenements in the said city are devisable and can be assigned; and that they have had from time immemorial the liberties and quitances aforesaid belonging to the said city, in aid of the citizens of the city and the rent of the same; and that they have had the city mills and the King's fishery in

the river of Eden, toll intrinsecum and forinsecum, called burghtoll, rents mensur, gaveliold, and small rents of the said city, as parcel of the rents of the city, and that the said citizens have had all the liberties and profits aforesaid from time immemorial until they were hindered by Thomas de Lucy, our late sheriff of Cumberland, in the twenty-third year of our reign over England, from the return of writs and summonses out of the Exchequer, because the aforesaid liberties were not specially named and specified in the said royal charter to the said citizens; And now the citizens of the said city have prayed us to confirm to them by our charter the said liberties, quittances, customs, and profits: We having taken into consideration the premises, and also that the said city is situated on the frontiers of Scotland for a defence and a refuge of the parts adjacent against the hostile incursions of the Scots our enemies, and as well on account of the mortal pestilence lately prevailing in these parts as by the frequent incursions of our said enemies in the same parts and other misfortunes is laid waste and more than ordinarily depressed, being willing to provide for the peace of the said citizens, and that their liberties, quittances, customs, and profits aforesaid be not in anywise invaded by the sheriff or other our officers, whomsoever in future, have granted for ourselves and our heirs to the same citizens that they and their heirs and successors, citizens of the said city for ever, may have the return of all our writs and summonses of the Exchequer and other writs whatever: and also two markets in every week (to wit) on Wednesday and Saturday, and one fair every year to last 16 days (to wit) on the day of the Assumption of the Blessed Mary and 15 days next following, and also one guild and a free election of the mayor and bailiffs of the city aforesaid within the same city, and two coroners there, and the assising of bread, wine, and beer, and the judging and punishing of felons and thieves; and also may hold pleas of the crown, and do and exercise all those things which belong to the offices of sheriff and coroners in the same city, and may have the chattels of all felons and fugitives condemned in the said city; and that they be acquitted of all fines and amerciaments of the county, and suits of the county and wapentake, and may hold pleas of forcible entry of free tenements within the said city if the plaints shall have been entered within 40 days next after disseisin hath been made; also that the

bailiffs of the same city may implead before themselves our writ of right patent and writ of right of dower according to the custom of the said city, and may have recognisance of all the pleas aforesaid; and also that the said citizens and their heirs and successors may have common of pasture for all kinds of cattle at all times of the year upon our aforesaid moor, and there to dig turves and lawfully to take them away, and also that any freeman may be pledge for another at the first court in a plea of breach or covenant or debt: and that the citizens aforesaid be acquitted throughout our kingdom of toll, pontage, passage, lastage, keyage, carriage, murage, and stallage, of whatever their things and merchandise: and also that the said citizens may have the said place called Battailholme for their market and fairs, and that they may devise their tenements in the said city: and that they may have the mills of the said city and our fishery in the river of Eden, and toll intrinsecum and forinsecum called burghtoll, and the rents mensur, gaveliold, and the small rents of the said city as parcel of the rents of that city, as the same citizens ought to have the said liberties and quittances, and to hold the mills, fishery, pasture, turbary, and places with the appurtenances; and as the same citizens, their ancestors and predecessors from time immemorial always (until the said liberties were interrupted by the aforesaid Thomas) were reasonably accustomed to use and enjoy the same liberties and quittances, and to have and possess the said mills, fishery, pasture, turbary, and places with the appurtenances. . . . Witness ourself at Westminster, the 7th day of February, in the twenty-sixth year of our reign, . . .

We likewise, esteeming the gifts, grants, and confirmations aforesaid, valid . . . do for us, our heirs and successors (as far as in us lies) accept, approve, and ratify them, and by the tenor of these presents to our beloved the now citizens of the said city, and their heirs and successors, citizens of the same city, do grant and confirm them as the charters and letters aforesaid reasonably testify, and as the same citizens and their predecessors the liberties and quittances aforesaid have hitherto justly and reasonably used and enjoyed. In witness whereof, we have caused these our letters to be made patent. Witness ourself at Westminster, the 26th day of May, in fifth year of our reign. . . .

XIII.

FORM of a CERTIFICATE of EXEMPTION from TOLLS throughout the REALM.

Manor and Liberty of } At a Court Leet and View of Frankpledge held for and within the said Manor on Friday
Axmouth in the } the Tenth day of October In the Ninth Year of the reign of our Sovereign Lord George
County of Devon } the Fourth By the Grace of God of the United Kingdom of Great Britain and Ireland
King Defender of the Faith And in the Year of our Lord 1828 Before Richard Every
Steward of the said Manor.

At this Court came John Hawkins of Axmouth Farmer resident within this Liberty being Part or Parcel of the ancient Duchy of Lancaster therein which by the Charter of the same is as follows (vizt.)

" All and singular Men and Tenants Freeholders and non Freeholders as well Residents as Nonresidents and
" other Resiants within the Manor and Liberty aforesaid are Free Quit and Discharged of and from all manner of
" Toll Pontage Picage Murage Stallage Pavage Passage Lastage Tollage Pontage and all other Customs
" whatsoever and of and from all manner of Prizes and Captions Carriage of Horses Carts Waggonns and other
" Carriages and of Wheat Barley Oats Rye Beans Peas and of Corn Cows and other Beasts and of all Fowls and
" other Utensils and Victuals whatsoever throughout his Majesty's Realm of Great Britain and all other his
" Dominions whatsoever."

Granted in full Court the Day and
Year above written.

RICHD. EVERY,
Steward.

All Persons-whom
these Presents may
concern are to take
Notice of the Privi-
leges above men-
tioned.

XIV.

FORM of PROCLAMATION of a FAIR and PIEPOWDER COURT.

A.B., Esquire, Lord of this Manor, in Her Majesty's name, strictly charges and commands all persons here assembled and repairing to this fair to keep the Queen's peace, and that no man presume to make any assault,

outcry, or affray to the disturbance of Her Majesty's subjects. That no man forestall all or any manner of commodities, or merchandise, coming or comed to this market. That no man use any false weights or measures, or sell, offer to sell any adulterated or deceitful wares but such as are good and merchantable, and allowed by the laws of the realm. And that every man, both in

buying and selling, use honest and fair chapmanry. That no man buy or sell any horse, mare, or gelding but such as are lawfully registered in the toll book, and that if any person or persons shall presume to buy any horse, mare, or gelding, without lawfully registering the same in the toll book, he will be prosecuted according to law. That no innholder or victualler suffer any disorder in his house by unlawful gaming or excessive drinking. That no man entertain, lodge, or harbour any rogues, vagabonds, or cutpurses or suspected persons, and if any such repair to their houses or otherwise they be informed of them, that they presently give notice thereof to the constable, and that the constable do apprehend them, that such course be

taken as by the laws of this realm are appointed for such like offences. And if any difference arise within this fair or market the party grieved may repair to the court of pye powders, held at the toll booth, and receive redress. And all persons are to take notice that the horse and sheep fair or market is ordered and appointed to be held and kept within the west end of this town of _____, and the house of _____, and the beast market at the east end of this town.

God save the Queen and the Lord of this Manor.

XV.

The CHARTER of KING EDWARD III. concerning
ST. GILES' FAIR at Winchester, A.D. 1349.

[Extracted from "A Charter of Edward III., confirming
"and enlarging the privileges of S. Giles' Hill
"Fair, Winchester, A.D. 1349, ed. G. W. Kitchin,
"D.D., Dean of Winchester."]

Edward . . . to the Archbishops . . . and
all other his faithful bailiffs, greeting:

Know ye, that whereas the Lord William . . . formerly King of England, our ancestor, did by charter grant unto God and St. Peter, of the Old Minster of Winchester, and to the then Bishop of Winchester, a fair at St. Giles' Church, which stands on the hill to the east of Winchester, with all rents and jurisdictions [*redditus et iusticias suas*] appertaining to himself within the city of Winchester, for three whole days, viz., on St. Giles' Day and the day before and after, to be held by him as fully and freely with all customs as the king would hold it if it were his own: And afterwards Henry [I.] . . . King of England, brother of King William, granted to God and St. Peter and St. Swythun, of the Old Minster of Winchester, and to William Giffard, then Bishop there, a fair at the church of St. Giles aforesaid, and all his rents and jurisdictions belonging to him in the said city of Winchester, for eight whole days, viz., for the three days granted by King William, and the five days subsequent, to hold it as fully and freely with all customs.

And subsequently the Lord Stephen . . . King of England, our ancestor, also by charter granted to God and to the church of Winchester, and to Henry his brother, then bishop of that see, and to all his successors, six full days additional to the said fair of St. Giles of Winchester, so that in all it should last fourteen days; desiring, and enjoining that the fair for all these fourteen days should have all the customs, quittances, and liberties it was wont to have within and without the said city in the days of the aforesaid Henry [I.] And the Lord Henry [II.] . . . successor to King Stephen . . . afterwards by his charter granted to God and to the said church, and to the then bishop of the see, eight days in augmentation of the said fair, so that while in the time of his grandfather, Henry [I.], it lasted but eight days, it should thenceforth last sixteen days, as it is in the said charters which the Lord Edward [II.], late King of England, our father, confirmed by his charter, in which, for himself and his heirs, he conceded to John, late bishop of the said see, that although he and his predecessors might not have before used the said liberties, nevertheless he and his successors should thenceforth fully enjoy and use them, as in the said confirmation is more fully set forth.

And we also, at the instance of the venerable Father William of Edyndon, now Bishop of Winchester, who has suggested to us that he and his predecessors in the bishopric, by virtue of the charters aforesaid, and of the general words therein contained, and of the fair aforesaid, and from the time the said charters were made and otherwise from time immemorial, had had their own justiciars, who are called "the Justices of the Pavilion" [*Justiciarii Pavilionis*],* with cognisance of pleas and of other business during the fair, and had also the keys of the gates and the watch and ward [*custodiam*] of our city of Winchester throughout the fixed period of the fair, and also certain other liberties,

immunities, and customs, and had exercised the same although in the said charters not fully expressed, freely and without challenge; and has prayed us that we would be pleased to reduce to writing in express language in a charter such liberties, immunities, and customs as it might appear that he and his predecessors had enjoyed from time immemorial by virtue of the said charters, confirmations, and general words or otherwise, and to grant that the said bishop and his successors might use the said liberties, immunities, and customs for ever without hindrance.

We, therefore, desiring to be more fully informed thereon, appointed as Commissioners our trusty and beloved William de Sharesull, John de St. Paul, William de Fihides, and William de Overton, or any two or three of them, to inquire of the truth more fully by the oath of good and lawful men of the county of Southampton, through whom the truth of the matter might be the better known regarding all and singular the premises and the circumstances thereof.

And as by inquiry so made at our command by the said William and William, and returned into our chancery, it appears that the bishops of Winchester, predecessors of the present bishop, by virtue of the aforesaid royal grants, and of the general and royal words therein contained, and otherwise, from time immemorial have held, and this present bishop doth now hold, the said fair in a certain place in the said charters named, which is now called St. Giles' Down lasting for the said sixteen days; and that by reason of this fair, and in virtue of the said general and royal words and otherwise . . . this present bishop and his predecessors have up to this time exercised the liberties and customs described hereafter, viz., that the bishop for the time being has and ought to have his own justiciaries, styled the Justices of his Pavilion of the fair, assigned by his commission; and that these justiciaries, year by year, at the opening of the fair on the vigil of St. Giles' Day, before, or at, or immediately after sunrise, are to ride to the south gate of the city or to the gate of the same which is called King's Gate [*Kyngegate*], as they think best, and are there to enter the city; and that at the south gate the mayor, bailiff, and citizens, shall meet them, and deliver over to them, as acting for the bishop and being his officers, the keys and custody of that gate; and the justiciaries shall, at their pleasure, set their own warders or gatekeepers [*janitores*] there; thence they are to ride, all together, to the west gate, and there the mayor, bailiffs, and citizens shall, in form aforesaid, deliver over to the justiciaries the keys and custody of that gate, and the "tron" of wool [*tronum lanarum*] of the city; and the justiciaries shall set a warder or gatekeeper at this gate, and shall cause the fair to be proclaimed there in the following form, viz:—

"Let no merchant or other for these sixteen days, within the circuit of seven leagues round the place of the fair, sell, buy, or set out for sale, any merchandise in any place other than the fair, under penalty of forfeiture of the same goods to the use of the bishop."

Then, after proclamation thus made, the justiciaries, mayor, bailiffs, and citizens, are to ride to the north gate, and there they shall deliver up the keys and custody of that gate to the justiciaries in form aforesaid; and the justiciaries shall at their pleasure set there a warder or gatekeeper; and after this the justiciaries shall make the like proclamation at their pleasure there and elsewhere in the city, as often as they choose; and thence the justiciaries, the mayor, and the others are to ride together to the east gate, and the latter shall, in form aforesaid, deliver up the keys and custody of that

* Dr. Kitchin states that the "Pavilionis Aula" or "Tent Court" was pitched on the top of the Hill, and the name survives to the present day as "Palm Hall" at that spot.

gate to the justiciaries, saving the tolls and customs of the same east gate due or pertaining to the abbess and convent of the Blessed Virgin Mary in Winchester and their successors and to their church; and thence the justiciaries, mayor, bailiffs, and citizens shall ride out together to the bishop's pavilion of the fair on St. Giles' Hill outside the city; after which, the mayor, bailiffs, and citizens can withdraw and return as they please to the city; and thereon the said justiciaries shall elect and appoint a mayor and bailiffs to serve in those offices in the city during the fair, and also a coroner to perform all that pertains to the office of coroner within the city during the fair, who may be an alien or a citizen, at the pleasure of the said justiciaries, and they shall have a Marshal to execute their decrees, and to serve them as is fitting within and without the city. And the bishop from the time that the keys and custody of the gates, as is aforesaid, have been delivered to him, shall, by his justiciaries and other ministers, have the custody of the whole city, and cognizance of all pleas between the men and tenants of the city and all other persons, within a circuit of seven leagues round the fair, regarding breaches of law, debts, and all contracts whatsoever; and also of pleas anyhow relating to all other men or merchants, whenever or wherever, at home or over sea, such contracts or agreements have been made, to be heard and held at the aforesaid pavilion, provided however that some citizen or inhabitant of the aforesaid district shall intervene in the matter within the period aforesaid. And all personal pleas begun before the justiciaries from the opening of the fair down to the vigil of the Nativity of the Blessed Virgin Mary ought to be carried on and redressed first by summons or attachment, and afterwards by distrains, as is usual in our Royal Court, and as occasions require; and from the vigil of the day of the said Nativity to the end of the sixteen days aforesaid the process in regard of all such pleas and complaints, in accordance with the ancient custom of the said fair from time immemorial, as aforesaid, shall begin by distrain, and shall ever be continued by distrain from hour to hour and from day to day, at the discretion of the justiciaries aforesaid, for swifter remedy to the complainants. And both citizens and others are to be judged and redressed by the same form of process; and if any parties submit themselves to any inquest before the justiciaries whether as to pleas of this kind or of any other kind within the cognizance of the justiciaries of the pavilion, the marshal shall be directed to bring before the said justiciaries such juries of inquest of citizens or aliens, or of the men of the soke* or of the fair, or merchants found in the fair, whether citizens of Winchester or citizens of London, or of any other place on this or that side of the sea, as may be needful. And when the jurors have come by due procedure, then, in the presence of the party or parties, they must take oath as to those things concerning which they are to be charged by the justiciaries, viz., by penalty of imprisonment or otherwise by fine, at the discretion of the justiciaries, as is usual in our Royal Court before our justiciaries, and this whether they be citizens of Winchester or of London or aliens. And after anyone has been convicted in such inquests, or by his own cognizance, in any personal cause, he shall, by judgment and precept of the justiciaries, be arrested and delivered over to the marshal, to be kept in custody until satisfaction has been made to the other party and to the court.

And similarly, any who attempt rescue from the officers of the bishop or his justiciaries or their officers serving in the fair or at the pavilion, or within the circuit of seven leagues, or at Southampton, and who hinder them in carrying out the executions and precepts of the justiciaries, be they men of Winchester or aliens, or men of Southampton or elsewhere, shall forthwith be arrested and taken to the pavilion, where they shall be detained till they have paid a fine to the bishop for their misconduct and for the rescue. And if they or any other persons are convicted and taken into custody, as aforesaid, at the suit of any party or parties within the sixteen fair days, and shall refuse to pay fine to the bishop, and to make satisfaction to the party or parties as is fitting, then directly the sixteen days are over, they shall be carried to Wolvesey, and there be detained in the bishop's custody, till they have paid the fine and have made satisfaction, as aforesaid; and all actions as

to debts between traders during the fair, shall be held (and ever have been held) before the justiciaries, by way of testing of tallies, in accordance with the merchant law, should the complainant desire it; and if any one whose goods are attached or distrained on before the justiciaries at suit of any complainant, refuse to appear and to be justified by them within the sixteen fair days, then at the close of the sixteenth day the goods and chattels thus attached, distrained on, or arrested, shall be appraised by good and lawful men of the soke of Winton on their oath, and shall be delivered over to the complainants in lieu of their debts and damages at the discretion of the justiciaries, if any such distrain suffices, if not, then the distrain shall be paid over for a portion only of the debt, more or less, according to the value of the goods distrained on, and this is customary for the men of Winchester and of London, and all other persons of whatever place; and all pleas begun before the justiciaries and not concluded within the sixteen fair days, shall at the close of the sixteenth day be adjourned to the vigil of St. Giles' Day in the following year; and let the same day be assigned for all parties in the same suit; and very many of the bishop's tenants, who hold lands and tenements of him by service of making suit at the pavilion, are bound to come, and shall come thither on each vigil of St. Giles, before six in the morning, to make their suit of service at the pavilion, and shall be prepared with horses and arms as often as may be needful. From among them the justiciaries shall, at their pleasure, select three or four (or more or fewer, as they may see it will be needful) to serve and tarry in the fair during its continuance, and to carry out the executions and precepts of the said justiciaries in all places within the seven leagues and at Southampton, as often as shall be needful for the safeguard of the peace and the fare, and this at the wonted charges of the bishop; so that, in fact, the said tenants may return and be prepared to do as is aforesaid as often as and whenever they are forewarned by the justiciaries; and while the fair lasts certain servants and officers shall be there charged with the duty of writing down the pleas, receiving the complaints, and carrying out the executions ordered by the justiciaries; these are the chamberlain, marshal, porter, and divers other servants of the fair, who, from all men who prosecute, or are distrained on, or are convicted in causes before the justiciaries, and in many other cases also, shall take the usual rewards or fees reducible on reasonable cause at the discretion of the bishop or his justiciaries; as from time immemorial these officers have taken such fees by reason of their offices, and distrains ought to be reasonable and not too severe, at the discretion of the justiciaries, and as the business coming before them may require. And during fair-time the marshal shall daily ride immediately after sunset through the midst of the fair, and proclaim publicly that every trader is forthwith to shut his stall, and after this proclamation no one may sell, or offer for sale, any merchandise, and if he does so and is convicted, he shall pay a fine to the bishop for it, at the discretion of the justiciaries. And after this proclamation till the rising of the next day's sun, none but the bishop's officers or his justiciaries ought to move about in the fair; and if anyone do so, forthwith he shall be taken by the officers and brought to the pavilion, and pay fine as aforesaid. And no trader shall have any fire within the fair by night, unless it be in lamp or mortar; and if anyone do otherwise, he shall be fined. And if any house within the barrier of the fair be broken into or thrown down so that anyone can pass thereby with goods for sale or purchase without paying of custom and toll, the man whose is the house shall be fined heavily at the discretion of the justiciaries, and the goods thus removed without toll shall none the less be forfeited to the bishop: And the justiciaries and the treasurer of the Bishop at Wolvesey for the time being, and the clerk of the pleas shall yearly receive four basins and ewers, by way of fee (as they have received them of old time) from those traders from foreign parts, called "Dynamitters," who sell brazen vessels in the fair: And the mayor and bailiffs of the city after election as aforesaid by the justiciaries, shall, at the mandate of the justiciaries, make and are bound to make, summons, attachments of goods, distrains, and all manner of executions of all plants and pleas tried in the pavilion before the justiciaries touching matters arising within the city, without interference or hindrance from any citizen. And when citizens are summoned to the pavilion before the justiciaries during the sixteen fair days, they shall not refuse, but shall

* The "Soke" is an Episcopal Liberty lying on the east and south sides of the old city walls of Winchester, and included a large part of the modern town, such as Cheerehill Street, &c.

come to do the things they are bound to do by the laws and customs of the fair. So also the aldermen and all tithingmen of all tithings in the seven-league circuit are bound to come to every hue and cry and case of bloodshed, and if anything else occurs to break our peace within their wards and tithings, they shall arrest the culprits, and take them from (whenver such can be had) security as to their abiding by the law and customs of the fair, and they shall come to the pavilion, and from day to day during fair time, shall present to the justiciaries such cases as may come up; and the said justiciaries shall proceed further by law and custom. And the bishop shall have all such animals, goods, and chattels, styled waifs and strays, as may be found within the seven-league circuit. Also the justiciaries at the opening of the fair shall elect as coroner some discreet man from among the bishop's tenants who owe suit at the pavilion, and shall take oath of him, that he will perform whatever pertains to the office of coroner, both within the fair and in the seven-league circuit; and this coroner shall obey the orders of the said justiciaries just as if they were our justiciaries. And the said justiciaries shall hold all the pleas of the crown, whether by appeals or by indications arising out of the facts, within the aforesaid precinct, and shall pass judgment thereon and take execution during the fair, as our justiciaries do in like case elsewhere in our realm of England. And though Southampton is more than seven leagues distant from the fair, still the justiciaries shall send an officer of the bishop's pavilion, the marshal, thither each year on the vigil of the day of the said Nativity, or before or after, as they will, to proclaim there that no man shall at that time sell or buy goods or weigh or poise merchandise or goods for sale in Southampton, excepting victuals, under pain of forfeiture of the goods and merchandise to the bishop, but that all traders shall bring their goods and merchandise to the fair, as is more fully laid down in a certain composition between Aymer, formerly Bishop-Elect of Winchester, and the community of the town of Southampton, and confirmed by charter of Henry, King of England. And these justiciaries shall place guards or officers at Stockbridge bridge, at Romsey, Redbridge, Crabwood, Hursley, Mainsbridge, Otterbourne, Kingbridge, Curbridge, Alresford, and at divers other places, to levy tolls and customs on the merchandise and saleable goods passing over these bridges and other places, for the benefit of the bishop, in such manner and form as they are levied in the fair, in the city, and in the seven-league circuit, during fair time. And no tradesman of Winchester or other man shall sell or offer for sale any merchandise or goods in the city during the sixteen days of the fair, and if they do, such goods shall be forfeited to the bishop. Nor shall anyone keep open stall during this period in the city, and no pedlar of small goods, such as purses, gloves, knives, &c., shall, without paying such fine to the bishop as the justiciaries or other the bishop's deputies may think fit, open his pack to sell or show such goods; and the justiciaries or their deputies shall, on the first day of the fair, move all sellers of food in the city, with their victuals, from their usual places to other appointed spots outside the city, and there and nowhere else shall they sell; and all bakers, butchers, and fishmongers of the city shall in the beginning of the fair repair to the pavilion, and from among them the justiciaries shall appoint the most competent, lawful, and discreet men to serve those who come to the fair with wholesome, useful, and sufficient victuals, and shall take their oaths thereunto, so that if any food be found to be tainted its owners shall forfeit it entirely, and be none the less heavily fined by the justiciaries. And the bishop shall have cognisance of all pleas of fresh force and of intrusions from houses within the city, and shall, under authority of our Letters Patent, hold courts of pleas as to lands and houses in the city and within the seven leagues, and shall have cognisance of the said pleas before the justiciaries at suit of any who may desire to prosecute or lodge complaint with them, and they shall give judgments and make executions as the cases demand. And all lords and others who have the right to hold court baron within the seven leagues are bound to come, and have of old been wont to come, and appear at the beginning of the fair before the justiciaries to hold their own courts and pleas therein during the fair. And the justiciaries shall grant them leave, or fine, or otherwise, as shall seem good to them; and no lord or other shall hold court in any other way in the district in fair-time, nor has ever done so from time immemorial, without leave thus granted. And if they

do, let them be fined at the discretion of the justiciaries. And though we, ourselves, or the seneschal of our household and our marshals were to come within the said precincts in fair-time, still the justiciaries shall hold all pleas and whatever else pertains to the liberties of the bishop and his fair, even though the fair and its precincts were at the time within our royal verge. So that directly our seneschal and marshal, or those who hold the marshal's court, are forewarned by the justiciaries, they shall withdraw from the precinct, and shall forbear to do or exercise anything pertaining to the marshal's office within that precinct during the fair. And the justiciaries acting in the name of the bishop shall set up and establish an assize of bread, wine, beer, and other victuals in the city and fair and seven-league circuit during the sixteen days. And the bishop's servants shall take and carry to the pavilion and in presence of the justiciaries prove and assay all measures, balances, weights, and ell-wands of the city, of the fair, and the seven-league circuit; and, moreover, they shall burn all measures, balances, weights, and ell-wands which may be found unassayed, and shall fine, to the bishop's benefit, the men who have so acted in fair-time. And no citizen of Winchester, or person not a member of its merchant guild, may enter the fair with his merchandise and wares after the day of the said Nativity without a fine, to be paid to the bishop, at the pleasure of the justiciaries. And the justiciaries, on whatever day or hour they may please within the sixteen days of the fair, may enter the city and prove, assay, and taste one by one all casks of wine for sale in the city, be they where they may, and if they find any mixed or stale or unwholesome they shall draw them out of the cellars, knock off their heads, and heavily fine the innkeepers or owners, the fine being paid to the bishop. And no cobblers, tailors, or other craftsmen or artificers of the city shall ply their trade or sell elsewhere, save within the fair, under penalty of forfeiture. And the justiciaries shall, during the same period, send the bishop's servants, as often as they will, into the city to take a loaf or two of every kind of bread for sale there, and send them up to the pavilion, where the servants shall weigh them, and if they prove short, they shall be forfeited to the bishop, and the baker be put in the pillory, or otherwise be fined, at the discretion of the justiciaries. And the bishop, during the sixteen fair days, shall take toll or custom at all city gates, of every cart load of firewood or charcoal for sale, taking a certain established portion of the same, and a halfpenny for every horse load of corn for sale, and a farthing for every burden of corn carried by a man, and for every cart load of corn twopence, for every cart load of hay or straw for sale a penny, and for every truss of such hay or straw for sale a farthing, and for every other cart load of goods for sale coming to the city and the fair during the sixteen days twopence, for every stall for the sale of bread in the top of the High Street of the city on the Sundays in the fair-time a halfpenny, for every bale of wood sold by license of the justiciaries within the city walls, for the bishop's weigh-money, fourpence, and for the weigher's fee, a penny from the seller and a penny from the buyer, and from all workmanship and small wares sold in the city they take and during the fair-time have ever taken in the city the usual tolls and customs. Moreover, the bishop levies and has ever levied the following tolls and customs from all merchandise and goods for sale which are brought to the fair before the feast of the said Nativity, viz., for one bale of avoirdupoys, and every pack of mercery, twopence; for every piece of whole wax, twopence; for every burden borne by a man, one penny; for every small pack of cloth and avoirdupoys carried by a man, a halfpenny; and if two have one bale of such wares, each shall pay twopence; for every cart load of merchandise not in bales, such as fish, leather, iron, or any other goods, or for one bale of any kind of wares carried in a cart, fourpence; for a falcon sold, fourpence; a ferret, fourpence; an ape, fourpence; a bear, fourpence; a dealer, twopence; for hurdles brought as a load, a halfpenny; for a cask of wine and cider, fourpence; for a load of hay or corn, a halfpenny; for a carpet-maker, for the whole of the fair, a penny; for a raw hide, a halfpenny; for a tanner, fourpence; if thirteen geese be sold, one of them. And none shall be quit of such toll, save the merchants and citizens of London, Winchester, and the honour of Wallingford, and this from the beginning of the fair to the day of the said Nativity. And if these merchants and citizens of London and Winchester, or any other

man or merchant, take any goods through the fair for sale after that day, they shall pay fine before the justices for such wares, and if they refuse, their wares shall be distrained on, and they shall so be compelled. And whereas the Bishop of Winchester and his predecessors by virtue of the aforesaid charters or otherwise from time immemorial have hitherto fully and quietly, without contradiction or hindrance, enjoyed during the sixteen fair days all the customs and liberties above named, as well as all other liberties and customs belonging to the fair, not above specified or remembered, and although our father [Edward II.] by another charter had granted to John, Bishop of Winchester, predecessor of the present bishop, leave for himself and his successors for ever to hold yearly in the aforesaid place, a fair, for four-and-twenty days, viz., for the above sixteen days, and the eight days next following, with the liberties and free customs belonging thereto, but neither the present bishop nor his predecessors have exercised any other liberties and customs during the additional eight days in that fair, save those belonging to the fair and commonly in use in respect to fairs in this in this realm of England: We therefore do hereby . . . of our peculiar grace accept, approve, and confirm all and singular the liberties, immunities, and customs aforesaid, which are noted down and have appeared on the

aforesaid inquiry; and lest through growth of human badness and lapse of memory, these should hereafter become doubtful or be challenged and subtly disputed, and rather that they may surely and indubitably remain and last for ever, we, for ourselves and our heirs, have fully granted, and by this our charter have confirmed to the said bishop William, and to his church, the perpetual enjoyment during the sixteen fair days for himself and his successors of all and singular the liberties, immunities, and customs aforesaid; which he shall enjoy and exercise freely, quietly, and completely, without let or disturbance or contradiction of ourselves or our heirs, our justices, sheriffs, or officers of any kind. We moreover will and grant, for ourselves and our heirs, that the said bishop and his successors shall enjoy all other liberties and customs, which he and his predecessors, by virtue of the afore-named charter and of the general terms of the same, and of the fair aforesaid, have exercised, though not specified above, but neglected perchance and omitted in the above-mentioned inquiry; and, that they shall exercise the same even as the present bishop and his predecessors have hitherto exercised and enjoyed them.

Witnesses, &c.

Given, &c.

XVI.

RECORDS RELATING TO MARKETS IN SCOTLAND.

A.—EXTRACTS FROM SCOTTISH BURGH CHARTERS.

CHARTER OF WILLIAM THE LION TO THE BURGESSES OF AYR.

Willelmus Dei gratia rex Scottorum, Episcopis, &c. Sciant . . . me ad novum castellum meum super Are burgum fecisse, et eidem burgo et burgensibus meis in eo manentibus, omnes libertates et omnes liberas consuetudines concessisse, quas alii burgi mei et mei burgenses in eis manentes per regnum meum habent. Assedi etiam in eo quolibet die Sabbati diem fori. Concessi etiam burgensibus qui illuc venient ad burgum meum inhabitandum et ibi sedentes et manentes erunt ut quieti sint a tolneio et omni alia consuetudine per totam terram meam de dominicis catallis suis. Prohibeo itaque firmiter ne quis regno meo ab aliquo illorum tolneium aut aliquam aliam consuetudinem de dominicis catallis suis exigat, super meam plenariam forisfacturam. Concessi etiam eidem burgo meo et burgensibus meis qui in burgo illo sedentes et manentes erunt, quinque nummatis terre que pertinent ad villam de Are per divisas inferius scriptas; scilicet, de Inverdon sursum usque in Inverpolcurtecan, &c. . . . Concessi etiam burgensibus meis ibidem manentibus, ut cum quolibet plenario tofto suo habeant sex acras terre quas de Boscho extirpauerint infra predictas quinque nummatis terre, ad faciendum inde commodum suum; reddendo annuatim mihi pro quolibet tofto et sex acris terre illi adjacentibus, duodecim denarios. Mando itaque et firmiter precipio ut omnes homines qui cum merchaturis suis ad vendendum et emendum, ad illum predictum burgum meum venerint, firmam pacem meam habeant et forum exercent, et in bene et pace redeant. Precipio etiam firmiter ut apud Mach, et Karnebuth, et Lowdun, et Croseuecon, et Lachtalpin, tolneium et alie consuetudines que burgo debenter dentur et recipiantur. Prohibeo itaque firmiter ne quis tolneium aut aliquam aliam consuetudinem quam predicto burgo meo de ratione facere debet ultra predictas divisas asportare presumat, super meam plenariam forisfacturam. Si quis vero tolneium vel aliquam aliam consuetudinem predicti burgi mei ultra predictas divisas asportare presumpserit, precipio firmiter ut omnes homines infra predictas divisas manentes sint auxiliantes servientibus meis ad adquirendum jus meum, et ad capiendum et attachiandum illum qui tolneia, aut aliquam aliam consuetudinem ad predictum burgum meum pertinentem, ultra predictas divisas asportaverit vel asportare contenderit. Testibus Florentio Electo Glasguensi, Cancellario

meo, &c. . . . Apud Lanarc, vigesimo primo die Maii.*

CHARTER OF WILLIAM THE LION.

Willelmus Dei gratia rex Scottorum. Omnibus, &c. Sciant, &c. me concessisse et hac carta mea confirmasse burgensibus meis de Aberdoen et omnibus burgensibus de Moravia et omnibus burgensibus meis ex aquilonali parte de Munth manentibus liberum Ansum suum tenendum ubi voluerint et quando voluerint ita libere et quiete plenarie et honorifice sicut antecessores eorum tempore regis David avi mei Ansum suum liberior et honorificentius habuerunt. Quare prohibeo firmiter ne quis eos inde vexet aut disturbet, super meam plenariam forisfacturam. Testibus, &c. apud Pert.

CHARTER BY KING DAVID THE FIRST . . . TO THE CHURCH OF THE HOLY TRINITY OF DUNFERMLINE . . . CIRCA 1129-30.

In nomine Sancte Trinitatis, ego David, Dei gratia rex Scottorum, auctoritate regia ac potestate, Henrici filii mei assensu et Matildis regine, uxoris mee, episcoporum, comitum baronumque regni mei confirmatione et testimonio, clero etiam adqueascenteque populo, ecclesie Sancte Trinitatis Dunfermline, . . . concedo . . . unam mansuram in Berwich, aliam in Rokesburc, aliam in burgo de Hadington, aliam in Edenburg, aliam in Linlithou, aliam in burgo de Striuelin, et in eadem villa duas ecclesias et unam carucatam terre que adiacet ipsi ecclesie . . . et medietatem coriorum et seporum et sagiminis omnium bestiarum que occiduntur ad festiuitates tenendas in Striuelin et inter Forth et Tay . . . preter ista supradicta dono et concedo abbati et monachis ut

* This charter to the burgesses of Ayr, granted in 1207, by William the Lion, is one of the best examples of the early constitution of a Scottish burgh. This charter is not to be found in the register of the Great Seal at Edinburgh, but appears among the National MSS. No. 40. It made reference to a castle built by the King in 1197, and stated that "He had made a burgh, and had granted to his burgesses remaining therein all the liberties and free customs throughout the kingdom "enjoyed by his other burghs and resident burgesses, together with a "weekly market." He then proceeded to grant to the corporation a considerable territory, extending far beyond the modern limits of the burgh, throughout which certain tolls and customs were to be collected by the burgh officers. From the tenor of the charter it is evident that this was neither the erection nor the incorporation of a burgh, but was rather the extension and definition of certain rights already existing and the recognition by the King of a mercantile community which had voluntarily gathered, either before or after the building of his castle, at a convenient place by the water of Ayr. It is evident that the trading community previously existing had considered itself in some sense a corporate body, and had officers already existing.

habeant singulis annis v. mercas argenti ad uestimenta eorum de primis nauibus que uenient ad Striuelin uel ad Perth.

CHARTER BY KING DAVID THE FIRST TO THE CHURCH OF
DUNFERMLINE. CIRCA 1224-53.

Dauid, rex Scottorum: vicecomitibus et prepositis de Struelin, salutem. Sciatis me concessisse Deo et abbati de Dunfermlyn decimam denariorum de censu meo de Strivelin. Quare uolo et firmiter precipio ut sine omni disturbacione faciatis ei eam habere sicut denarii uenient.

CHARTER BY KING DAVID THE FIRST TO THE ABBEY OF
HOLYROOD. CIRCA 1143-7.

Ego Dauid Dei gratia rex Scottorum . . . concedo ecclesie Sancte Crucis Edwinesburgensi . . . redditum centum solidorum singulis annis ad indumenta canonicorum de cano meo de Pert; et hoc de primis nauibus que negotiationis causa ueniunt ad Pert; et si forte non uenerint concedo prefate ecclesie de meo redditu de Edwinesburg quadraginta solidos et de Striuelin uiginti solidos et de Pert quadraginta solidos. Et unum toftum in Striueline, et tractum unius retis ad piscandum.

CHARTER BY KING ALEXANDER THE SECOND TO HIS
BURGESSES OF STIRLING 18 August 1226.

Alexander, Dei gratia rex Scottorum . . . Sciatis presentes et futuri nos concessisse et carta nostra confirmasse burgensibus nostris de Striuelyn diem fori in burgo nostro de Striuelyn, scilicet diem Sabbati in qualibet ebdomada; nostram firmam pacem iuste dedisse omnibus qui ad forum venient; et prohibemus firmiter ne quis illis qui ad predictum forum nostrum venient in veniendo vel in redeundo iniuriam vel molestiam aut grauamen aliquod iniuste inferat, super nostram plenariam forisfacturam. Prohibemus etiam firmiter ne quis mercator extraneus infra vicecomitatum de Striuelyn extra burgum nostrum de Striuelyn aliquid emat vel vendat super nostram defensionem, sed extranei mercatores deferant mercaturas suas ad burgum nostrum de Striuelyn et ibi eas vendant et denarios suos impliceant. Siquis vero mercator extraneus super hanc defensionem nostram inuentus fuerit in vicecomitatu de Striuelyn aliquid emens vel vendens capiat et detineatur donec voluntatem nostram de eo precepimus. Prohibemus etiam firmiter ne quis mercator extraneus secet pannum eum ed vendendum in burgo nostro de Striuelyn nisi a die Ascensionis Domini vsque ad Vincula sancti Petri, infra quos terminos volumus vt ipsi pannos suos secent ad vendendum in foro de Striuelyn et ibi vendant et emant pannum et alias mercaturas communiter cum burgensibus nostris sicut dominici burgenses nostri saluis rectitudinibus nostris. Precipimus etiam vt omnes qui manent in burgo de Striuelyn, et cum burgensibus nostris, ad forum communicare voluerint, communicent cum illis ad auxilia nostra reddenda cuiuscunque homines sint. Prohibemus etiam ne aliqua taberna habeatur in aliqua villa in vicecomitatu de Striuelyn nisi vbi miles sit dominus ville et in ea manens, et ibi non habeatur vna sola taberna. Concedimus etiam eisdem burgensibus nostris de Striuelyn vt habeant gildam suam mercatoriam, exceptis fullonibus et telariis. Prohibemus etiam firmiter ne quis manens extra burgum nostrum de Striuelyn in vicecomitatu de Striuelyn faciat pannum tinctum vel tonsum infra vicecomitatum de Striuelyn nec facere faciat, preter burgenses nostros de Striuelyn qui sint de gilda mercatoria et qui communicant ad auxilia nostra soluenda cum burgensibus nostris de Striuelyn exceptis illis qui de hac libertate cartas suas hucusque habuerunt. Quare prohibemus firmiter ne quis in vicecomitatu de Striuelyn facere presumat pannum, tinctum vel tonsum super nostram plenariam forisfacturam. Si vero aliquis pannus tinctus vel tonsus inuentus fuerit factus super hanc defensionem nostram precipimus vicecomiti nostro quatenus capiat ipsum pannum et inde faciat secundum quod consuetudo fuit tempore regis Dauid. Has autem omnes consuetudines et libertates predictas predictis burgensibus nostris de Striuelyn concedimus et hac carta nostra confirmamus. Testibus: Thoma de Striuelyn, cancellario; Henrico de Balliolo, camerario;

Waltero Comyn; Henrico de Striuelyn, filio comitis Dauid; . . . apud Kyncardyn, decimo octauo die Augusti anno regni nostri duodecimo.

CHARTER BY KING ALEXANDER THE SECOND TO HIS
BURGESSES OF STIRLING 20 July 1227.

Alexander, Dei gratia rex Scottorum: Omnibus probis hominibus tocus terre sue, salutem. Sciatis quod concessimus burgensibus nostris de Striuelyn qui in eodem burgo erunt manentes vt quieti sint impetuum de tolneio et consuetudine de dominicis catallis suis per totum regnum nostrum. Quare firmiter prohibemus ne quis eos contra hanc concessionem nostram iniuste vexare presumat exigendo ab eis tolneium vel consuetudinem de dominicis catallis suis. Testibus: . . . apud Edinburgh, vicesimo die Julij, anno regni nostri terdecimo.

CHARTER BY KING JAMES THE SECOND TO THE BURGH
OF STIRLING 25 October 1447.

Jacobus, Dei gratia rex Scottorum: Omnibus probis hominibus suis ad quos presentes literę peruenerint, clericis et laicis, salutem. Sciatis nos, ob fauorem dilectorum nostrorum prepositi, balliuorum, consulum et communitatis burgi nostri de Strenelyn, infeodasse, insigniisse et dotasse, presentiumque per tenorem infeodare, insignire et dotare dictum burgum nostrum de Strenelyn, prepositumque, balliuos, consules et communitatem antedictos, novis nundinis temporibus perpetuis pro futuris in dicto burgo nostro et eiusdem territorio annuatim in festo solempnitatis Ascensionis Domini tenendis, a meridie, videlicet, vigilie dicti festi inchoandis et deinde per octo dies immediate sequentes inclusive continuandis; cum eisdem priuilegiis, prerogativis, libertatibus et consuetudinibus, sicut dicta communitas et ipsum burgum nostrum nundinas suas in festo Natiuitatis beate Virginis Marie et per octavas eiusdem optinent et possident de presenti seu antiquitis optinere et possidere consueuerunt, adeo libere et quiete, plenarie, integre, honorifice, bene et in pace, in omnibus et per omnia, cum omni suo jure, proprietate et possessione, sicut burgi cuiuscunque infra regnum nostrum seu eius communitas nundinis nouis gaudent aut antiquis; ipsis tamen nundinis suis prehabitis eisdem ut hactenus gaudere soliti sunt semper saluis. Reddendo inde nobis et successoribus nostris iura de nundinis dicti burgi antiquitus debita et consueta. Quare, uniueris et singulis legiis et subditis nostris et aliis quibuscunque, firmiter precipimus et mandamus ne quis dictas nundinas burgo nostri predicti, nouas aut antiquas, seu homines quoscunque aut mercatores, in personis, bonis, mercandiis, catallis, equis aut rebus suis aliis quibuscunque, ad ipsas nundinas progredientes, ibidem morantes aut inde regredientes, perturbare, molestare seu quoquomodo inquietare presumat iniuste, sub omni pena quam erga regiam maiestatem amittere poterit in hac parte. In cuius rei testimonium hiis nostris presentibus literis magnum sigillum nostrum apponi precepimus. Apud castrum nostrum de Strenelyn, vicesimo quinto die mensis Octobris anno Domini millesimo quadringentesimo quadragesimo septimo et regni nostri vndecimo.

ACT OF PARLIAMENT at EDINBURGH, 29 Nov. 1581.

[On a complaint given in by the Provost, Baillies, Consell, and Community of the Burgh of Stirling that the two Fairs holden this long time bypast in the month of September, the one being the 8th day from the latter Ladyday, and the other the Ruid day, being the 14th day of the same month, were so near together in the time of harvest that they have not been profitable to the burgh, and that no resort of people came to them:]

Thairfore our Soverane Lord and Thrie Estaites of this Present Parliament . . . has alterit and changit the said Fair haldin . . . upon the said xiv. day of September to be haldin in all tymes cuming upoun the xxii. day of October yeirlie thairefter.

CHARTER OF CONFIRMATION OF CHARLES I., HOLYROOD,
17 Nov. 1641.

Charles by the Grace of God, etc. . . . Know ye that We considering that our ancient burgh of Stirling had formerly been erected into a free Royal Burgh . . . respect being had to the commodious and accessible situation of the said burgh* . . . with the advice, etc. have ratified . . . all charters, etc. made to our said burgh of Stirling [specifying the charters of Alexander and David II., etc. with an abstract of their contents]. Further We . . . of new have given . . . to the foresaid Provost, etc. . . . all and whole and said burgh of Stirling for a free Royal Burgh, with the whole common Fairs, Market days . . . together with all and sundry the profits, privileges, tolls, customs . . . and with power . . . of having, using and exercising (as hitherto they have been in use) the Art—*lie trad et trafic*—of merchandise and of buying and selling—*le bloc et cop*—all kinds of merchandise . . . As also We give . . . the privilege of two Market days weekly, one on Wednesday and the other on Saturday: with four free Fairs yearly, that is to say the first . . . on the Holy Thursday ten days before the Feast of Pentecost and thereafter for the space of eight days, to be called the first Fair day of Stirling: the second . . . on the 20th July and thereafter for eight days, to be called the second Fair day of Stirling: the third . . . on the 8th of September and thereafter for eight days, called the latter Ladies-day in autumn: and the fourth . . . on the 22nd October and thereafter for eight days, to be called the latter fair-day of Stirling, with power . . . of levying all tolls, customs, fees, impositions, and exactions, and all other liberties and duties used and wont . . . And in like manner We . . . have given . . . and by the tenor of our present Charter give . . . to the Provost, Bailies, Counsellors and Community aforesaid of our said burgh and their successors, all and whole the petty customs underwritten payable by persons not presented with the freedom of the said burgh . . . of all goods entering and leaving through the ports and bridge of our said burgh, together with the dues of weighing and measuring—*lie weigheage et metlage*—in the following table and inventory thereof contained; to wit:—

For each load of merchandise as of skins and hides, wool, lint, hemp, [iron], and other such wares	d.
And for a <i>burden</i> thereof	8
For each horseload of flesh, fish, grain, or other provisions	4
And for a <i>burden</i> thereof	2
For each load <i>pleuchgraiith</i> , carts, wains, harrows and barrows, and the like, or of lime or earthen pots and pitchers imported and exported	4
And the <i>burden</i> thereof	2
For each horse, mare, or staig	8
For each ox or cow	8
For each sheep fit for slaughtering	2
For each lamb	1
For a score of geese	12
For each swine	4
For each <i>staine</i> of wool, butter, cheese, tallow, and Scots' lint, weighed and sold in our burgh: by the freemen thereof	2
by all others	4
For each load of victuals imported within the walls or market places of our said burgh, the <i>standroume</i> and <i>hall maill</i> for the upholding of the said halls and common market places, on every market day	12
For the measuring of all kinds of victuals sold and measured within the burgh, for each load	12

together with the escheats of the said victuals brought within the burgh for sale, which are in the hands of regraters or forestallers, or housed in girmells and not presented at the market places. And further the said

* The signature or warrant for the charter contains a longer preamble reciting as to the situation of the burgh that it was "placed and situate" on the water of Forthe in that part of the Kingdom . . . to the "quhill the maist part of the Hielandes of Menteythe and Erkyll" "resortes and repaires for making their merchandice, be the quhillk" "repairing to the said burgh they ar and half bene reduct to ane" "civile and pollike form of levyn under his Majestie and his pre-
"dicesouris peace and obedience," etc.

Provost, etc. . . . shall take double the customs in the time of the fairs yearly: and they shall use . . . all and sundry customs . . . within and outwith the ports thereof, and upon the streets and lanes and market places now appointed and appropriated or to be appointed and appropriated for market places by them and their successors hereafter, with *weyage* and *metlage*, lie *stand maills* of the said markets, with the customs commonly called *laidell* and *gait dichtings*, and all other dues, etc. . . . Moreover We . . . have given . . . all and whole their ports and harbours . . . with all and sundry privileges, customs, haven-silver, dock-silver, shore-silver, anchorages, *corostes*, *assyes bollis*, rents, duties, and casualties of the said ports used and wont . . . with courts and their issues, fines, *herezeldis*, *bludewits*, and merchats of women: with gallows, pit, sok, sak, thole, thame, wrock, wair, weth, wart, venison, infangtheif, outfangtheif, etc. . . . paying therefore yearly . . . the duties and other matters in the ancient infetments . . . granted, etc. . . . amounting to the sum of 6*l.* 13*s.* 4*d.* of the money of Scotland . . . In witness, &c.

At Holyrood Houso, the 17th day of November 1641, and the 17th of our reign.

CHARTER OF DAVID I., about A.D. 1145, known as "THE GREAT CHARTER OF HOLYROOD," preserved among the records of the City of Edinburgh.

In nomine Domini nostri Jhesu Christi, &c., ego David Dei gratia rex Scottorum . . . Omnia subscripta concedo ecclesie Sancte Crucis Edwinesburgensi . . .

et redditum c. solidorum . . . ad indumenta canonicorum de cano meo de Pert et hoc de primis navibus que negotiationis causa veniunt ad Pert.

It refers to Berwick and Renfrew as places having "consuetudines," and ends in these words: "concedo etiam eis herbergare [*to settle*] quoddam burgum inter eandem ecclesiam et meum burgum et concedo ut burgenses eorum habeant communionem vendendi res suas venales et emendi in foro meo libere et absque calumpnia et consuetudine sicut mei proprii burgenses. Et prohibeo ne aliquis in burgo eorum panem vel cervisiam aut pannum aut aliquid venale capiat per vim aut sine voluntate burgensium. Concedo etiam Canonicos esse quietos de theloneo et de omni consuetudine in omnibus burgis meis et per totam terram meam, scilicet de omnibus rebus quas eument et vendent. Et prohibeo ne aliquis capiat pandum super terram Sancte Crucis, nisi Abbas ejusdem loci rectum et jus facere recusaverit. Volo autem ut omnia prescripta ita liberaliter et quiete teneant sicut ego meas proprias terras possideo; et volo ut Abbas curiam suam ita libere et plenarie et honorifice habeat sicut Episcopus Sancti Andree de Dunfermelin, et Abbas de Kelcov curias suas habent. His testibus, &c."

B.—Extracts from the "LAWS AND CUSTOMS OF THE FOUR BURGHS"* relating to Markets and Tolls in Scotland.

LEGES ET CONSUETUDINES QUATUOR BURGURUM, EDINBURG, ROKISBURG, BEREWIC, ET STRIVELIN, CONSTITUTE, EDITE AC CONFIRMATE PER REGEM DAVID.

I.

De redditibus domini regis in burgagiis.

In primis videndum est quid sit redditus domini regis in burgagiis. Quilibet dabit domino regi pro burgagio suo per perticatam terre v. d. annuatim.

* The best MS. of this code, known as the "Bernie MS.," is preserved in the Record Office at Edinburgh. It is written in a 13th century hand, and appears from internal evidence to have belonged to some person living in the South of Scotland about A.D. 1300 or earlier, and was for some time in the library at Berne. Another important MS., called the "Ayr MS.," is in a hand of the 14th century, and seems to have been compiled for the then burgh officials of Ayr.

II.

De burgense noviter facto.

Quicumque factus fuerit novus burgensis domini regis in primis jurabit fidelitatem domino regi et ballivis suis et communitati illius burgi in quo burgensis est.

III.

De namis capiendis a forinsecis in burgo.

Quilibet burgensis potest namare foris habitantes infra forum suum et extra, infra domum suam et extra, sine licencia prepositi sui, nisi communes nundine teneantur in burgo et nisi [fuerit] in exercitu aut in custodia castelli.

VI.

De placitis motis in burgo.

Placita que in burgo surgunt ibidem teneantur, &c. .
Et hoc secundum leges et assisas burgorum.

De placito inter burgensem et mercatorem.

Si placitum oriatur inter burgensem et mercatorem terminari debet infra tertiam refluxionem maris.

IX.

De mercaturis per naves adductis.

Quecunque navis mercaturas per mare adduxerit ad terram debent ferri preter sal et alleces que possunt vendi in navi.

XI.

De rustico qui manet extra burgum.

Si rusticus extra burgum manens in burgo burgagium habeat non teneatur in aliquo loco pro burgensi nisi in eodem burgo in quo burgagium habet. Si vero rusticus ille burgensem calumpniat in burgo manentem burgensis contra rusticum se lege defendat, &c.

XII.

De eo qui appellat burgensem de aliqua re.

Si quis burgensem de aliqua re appellaverit, non potest super burgensem pugnare, set per legem burgi se defendat, nisi sit de prodicione vel de them, unde se debet defendere bello. . . .

XIV.

De filio burgensis.

Filius burgensis quam diu fuerit ad mensam patris sui habebit eandem libertatem ad vendendum et emendum quam et pater suus habet. Sed cum eo discesserit illa libertate non gaudebit nisi burgensis fuerit.

XV.

De servo alicujus veniente in burgo.

Si homo alicujus baronis vel militis, vel cujuscunque servus, venerit in burgo et emerit ibi burgagium et manserit in burgagio suo per unum annum et diem unum, sine calumpnia domini sui vel ejus ballivi, semper erit liber sicut burgensis et libertate burgi gaudebit.

XVI.

De mercatore.

Nullus mercator alienus potest extra burgum emere lanam aut coria aut alia mercatoria, nec infra burgum nisi de burgensibus.

XVIII.

De furnis.

Quilibet burgensis domini regis potest habere furnum super terram suam set nullus alius preterquam burgensis domini regis.

A 55729.

XIX.

De forisfacto panis et cervisie.

Si aliquis vel aliqua sit in forisfactum de pane vel cervisia, nullus debet intromittere se nisi prepositus. Si bis forisfecerit bis castigetur per forisfactum suum. Si tertio forisfecerit justicia de eo vel de ea fiat. Si prepositus justiciam de eo vel ea facere neclexent, corpus et catalla prepositi in voluntate domini regis remaneant.

XX.

De privilegio burgensis.

Nullus nisi burgensis potest emere lanam attin-gendum nec pannum facere nec secare.

XXI.

De terra burgensis de conquestu.

Quilibet burgensis potest terram suam de conquestu dare aut vendere et ire quocunque voluerit libere et quiete, nisi sit in calumpnia.

XXV.

De contencione orta inter nautas.

Si naves applicuerint in terram domini regis Scocie de diversis regionibus et contencio oriatur inter tales homines infra portum domini regis, ballivi domini regis Scotie tenebunt rectum, de quacunque querela alter eorum conqueri voluerit de altero que mota est in terra regis Scocie. Et si contigerit calumpniator vel calumpniatus talis dederit theloneum suum et fecerit terre domini regis Scocie quod facere debuerit et navis ejus fuerit in *la rade* in [bona] pace recedat, et alter de altero jus querat ubi querere possit.

XXVI.

De calumpnia per opelandensem.

Si burgensis calumpniatur de opelandensi de furto invento in domo sua et in ejus seysina et negaverit furtum sicut liber burgensis contra opelandensem et dixerit se inde plegios non habere sed rem calumpniatum legaliter emisit in foro burgi, burgensis purgabit se juramento duodecimo, et amittet rem calumpniatam, et jurabit se nescire ubi ostium domus clauditur aut aperitur a quo rem dictam emit.

XXXV.

De hiis quos non licet namare.

Nullus debet namare piscatorem qui portat piscem ad vendendum nisi pro pisce aut pro proprio debito piscatoris. Similiter nec illos qui ducunt boscum ad vendendum et turbas nisi pro bosco et turbis aut pro propriis debitis suis.

XXXVI.

De annuo reddito Brasiatricum.

Quicumque brasiaverit per totum annum dabit preposito quatuor denarios. Si per dimidium annum dabit duos denarios.

XXXVII.

De redditu Stalangiatorum et Mercenariorum.

Quilibet stalangiator vel faciat finem secundum quod convenire possit cum preposito vel dabit obolum quolibet die fori. Mercenarius qui habuerit botham coopertam in foro die fori dabit obolum propter consuetudinem. Ille vero qui non habet coopertam dabit quadrantem.

XXXVIII.

De Juramento pro fractione Assise.

Prepositus non debet ponere aliquem vel aliquam de jure ad juramentum pro fractione assise nisi aliquis conqueratur de aliquo et si denegaverit et alius non habeat testes tunc purgabit se secundum legem burgi videlicet sexta manu.

XXXIX.

De Summa Forisfacti in Burgo.

Sciendum est quod forisfactum burgi non excedit ultra octo solidos de convictis in querela et in placitis: sed raro plene capitur.

XL.

De Placitis Principalibus per annum.

Sciendum est quod tria sunt placita principalia per annum ubi quilibet burgenses debet interesse. Primum est post festum Sancti Michaelis. Secundum post natale Domini. Tercium vero post Pascham. Quicunque burgensis ad hec non fuerit nec se legaliter essonnaverit nisi fuerit infirmus vel extra patriam vel ad nundinas, si fuerit manens in burgo dabit quatuor denarios ad forisfactum, si extra viii. solidos: et hac de causa quod burgensis rure manens non compellitur venire ad aliqua placita per annum nisi ad hec tria placita principalia.

XLVIII.

De Mensuris et Ponderibus.

Quilibet burgensis potest habere mensuram in domo sua ad bladum suum mensurandum ulnam lapidem et pondus ad ponderandum. Et omnes mesure et lapides ad ponderandum sigillo burgi debent signari: et sciendum est quod quicunque inventus fuerit cum falso pondere vel mensura erit in forisfacto.

LIV.

De Stallangiatore namando infra Burghum.

Si stallangiator debet aliquod debitum burgensi bene licet burgensi capere namum suum ubicunque invenerit illum infra villam de rebus suis propriis. Et sciendum est quod stallangiator nullo tempore potest habere loth cut neque cavyl de aliquo mercimonio cum burgense nisi infra nundinas quando quilibet potest habere loth et cavyl.

LIX.

Quod Ballivi non vendant Panem nec Cervisiam.

Nullus prepositus ballivus vel bedellus faciat in domo sua propria cervisiam neque panem ad vendendum.

LX.

De Pistoribus et Venditoribus Piscium.

Pistores qui faciunt panes ad vendendum faciant albos panes et bisos secundum considerationem et probationem proborum hominum ville prout tempus se habuerit. Et pistor habeat ad lucrum de qualibet celdra secundum quod videatur probis hominibus ville. Item nullus qui facit panem ad vendendum abscondat panem sed ponat in fenestra sua vel in foro ubi communiter vendatur. Et qui convictus fuerit eo quod ita non fecerit dabit [sex oras id est]* octo solidos ad forisfactum et panis absconditus pauperibus erogetur. Et similiter erit de venditoribus piscium.

LXI.

De Consuetudinibus in Furno.

Quicunque proprium furnum habuerit, teneat in furno suo consuetudines domini Regis factas secundum considerationem proborum hominum ville. Scilicet quod nullus habeat in furno suo plures servientes quam quatuor scilicet magistrum duos servientes et unum garciferum. Dominus furni habeat singulis vicibus pro furno suo obolum [vel panem]* magister furni obolum duo servientes unum denarium garcifer quadrantem. Et isti debent esse fideles et bone fame et jurabunt fidelitatem domino regi et communitati ville.

* The words enclosed in brackets are not in the MS. of these laws which was in use at Ayr.

LXII.

De Servientibus in Molendino.

Qui servant in molendino domini Regis vel qui habent illud ad firmam non habeant servientes in molendino nisi per considerationem proborum hominum ville et qui sint fideles et bone fame et qui jurent fidelitatem domino regi et magistris suis et hominibus qui veniunt ad molendinum: magistris de multura fideliter capienda et servanda: hominibus ad molendinum venientibus de blado servando et de recta multura capienda et locum molendini qui vocatur "roume" unicuique fideliter observando.

LXIII.

De Officio Brasiatricum et eorum Forisfactis.

Quecunque femina brasiare voluerit cervisiam venalem, brasiet secundum constitutionem ville per totum annum. Quod si non fecerit per unum annum et unum diem suspendatur ab officio. Et si cervisiam faciat probabilem prout tempus se habuerit bene stabit. Quod si malam fecerit et contra constitutionem ville egerit et in hoc convicta fuerit dabit octo solidos ad forisfactum vel justiciam ville pacietur, scilicet ponetur super le Coke stole, et due partes cervisie pauperibus erogentur et tertia pars fratribus hospitalis mittatur. Simile iudicium erit de meda sicut de mala cervisia. Et quilibet brasiatrix ponat signum cervisie extra domum suam per fenestram vel ostium ut visibile sit omnibus et commune. Quod si non fecerit dabit quatuor denarios ad forisfactum.

LXIV.

De Officio Carnificum.

Quicunque carnes vendere voluerit vendat bonas carnes scilicet bovinas ovinas et porcinas et vendat secundum considerationem proborum hominum ville et ponat eas in fenestra sua ut sint communes omnibus emere volentibus. Carnifices vero servant burgensibus tempore occisionis, scilicet a festo Sancto Martini usque ad natale Domini, de carnibus suis preparandis et conficiendis in lardariis. Si vero carnes male preparentur carnifex restituet ei dampnum suum cuius erant animalia. Carnifices dum servant burgensibus comedent ad mensam illorum scilicet cum servientibus eorum. Et habebunt pro uno marto obolum pro quinque ovibus obolum pro uno porco obolum.

LXV.

De Animalibus emendis et interficiendis.

Nullus manens extra burgum domini Regis emat animalia ad interficiendum ante terciam pulsam in hieme et primam in estate.* Proprii vero carnifices burgi emant animalia ad proprios usus ville qualibet hora diei. Item nullus carnifex occidat animalia de nocte vel emat, sed clara die et in botha sua et ponat in aperta fenestra sua. Et qui aliter faciendo convictus fuerit dabit plenum forisfactum †[scilicet sex oras].

LXVI.

De Regratoriis.

Regratarii qui emunt et vendunt ad lucrum non emant aliquam rem ad revendendum ante terciam pulsam in yeme et primam in estate.* Neque lanam operatam vel aliam quam albam neque filetum neque aliquid aliud de consimilibus emant aut recipiant excepto tempore nundinarum. Et si quis super hoc convictus fuerit dabit octo solidos ad forisfactum et rem emptam tali modo amittet.

LXVII.

De Vendentibus generaliter in Burgo.

Omnes generaliter vendentes videlicet brasiatores pistores carnifices ac piscarii vendent omnibus tam transeuntibus quam aliis intraneis et extraneis quibuscunque et non plus retineant in domibus suis ad opus suum et familie sue nisi ad valorem quatuor denariorum quia totum residuum est commune omnibus ementibus. Et qui aliter faciendo convictus fuerit dabit octo solidos ad forisfactum.

* The old Scottish translation has "befor that undern be rungen in wyntyt and midmorne in somyr."

† The words enclosed in brackets are not in the MS. of these laws which was in use at Ayr.

LXVIII.

De Falsitate in Pondere vel Mensura.

Si quis scienter aliquam falsitatem fecerit in ponderando vel mensurando ut in lana vel in sepo animalium vel in adipe porcorum sive in consimilibus et super hoc convictus fuerit dabit octo solidos ad forisfactum * [et justiciam ville patiat. Et inde castigabitur per ballivos burgi per forisfactum primo secundo et tercio. Quarta vice sit in misericordia domini Regis de vita et membro quia hujusmodi falsitas pertinet ad coronam domini Regis et forisfactum burgi non excedit octo solidos. Et in hoc casu forisfactum Regis est x. libre ideo pertinet ad regem].†

LXIX.

De Precone consentiente Falsitati.

Si quis preco in burgo domini Regis falsitati consentat aut mercedem capiat causa constitutionibus ville pessundando vel minorando et in hoc convictus fuerit dabit octo solidos ad forisfactum et privabitur ab officio suo et merce de non stabit ulterius in testimonio.

LXX.

De Electione Prepositorum in Burgo.

Ad primum placitum post festum Sancti Michaelis eligendi sunt prepositi commune consilio proborum hominum ville qui sint fideles et bone fame. Et jurent fidelitatem domino Regi et hominibus ville. Jurent etiam fideliter conservare consuetudines ville ‡ [et quod non facient justiciam de aliquo vel aliqua] propter iram vel odium timorem vel amorem alicujus sed per constitutionem consilium et judicium proborum hominum ville. Jurabunt etiam quod nec timore nec amore nec odio alicujus nec consanguinitate nec pro amissione pecunie parcent alicui in justicia facienda.

LXXI.

De Electione Preconum in Burgo.

Precones in burgo eligendi sunt communiter ab omnibus burgensibus qui fideles sint et bone fame et jurent fidelitatem domino Regi et prepositis ville et hominibus ville in pleno placito.§

LXXII.

De Foristallatoribus in Burgo.

Nullus infra burgum habitans vel extra sit tam audax in die fori exire extra portas burgi ad emendum aliquam rem antequam veniat infra burgi. Et qui super hoc convictus fuerit dabit octo solidos ad forisfactum.

LXXIII.

De Piscis lato ad vendendum.

Quicumque tulerit pisces ad vendendum in villa non ferat in aliquam domum sed ad forum domini Regis si de die venerit. Si de nocte venerit hospitare debet usque mane et tunc cum hora fuerit integre feratur ad forum domini Regis et communiter omnibus ementibus vendatur. Nec presumat aliquis emere piscem ad mare vel alibi quam in foro domini Regis ad revendum. Et si aliquis super hoc convictus fuerit dabit octo solidos ad forisfactum. Si aliquis piscator assuetus fuerit venire de nocte et pisces abscondere causa lucri vel mali ingenii et super hoc convictus fuerit dabit octo solidos ad forisfactum. Item nullus qui emit piscem ad revendumumat piscem nec scindat ante horam primam in estate et ante horam terciam in hieme. Et si fecerit dabit octo solidos ad forisfactum.

* * *

* The old Scottish translation has "befor that undern be rungen in wyntyt and midmorne in somyr."

† Ayr MS. "et rem emptam totaliter amittet."

‡ Instead of the words enclosed in brackets the MS. of these laws which was in use at Ayr has "et quod facient justiciam cuilibet nec parcent alicui."

§ The Ayr MS. adds "et eodem modo de bedellis."

LXXVI.

De Calumpniis per Prepositos vel Bedellos.

Si prepositus vel precones ville habeant calumpniam versus aliquem vel aliquos non possunt neque debent ducere testes contra illos in aliqua curia nec calumpnia sed pars defendens se acquiescit per legem.

LXXVII.

De protectione peregrinancium.

Si aliquis in burgo fuerit peregre profectus per licenciam ecclesie et vicinorum suorum in terram sanctam vel* (ad Sanctum Jacobum vel ad alium sanctum locum eat peregrinationis causa) domus ejus et familia sua sit in pace domini Regis et prepositorum donec eum reduxerit dominus.

LXXXVI.

De constitutione Pacis Nundinarum.

Hec est constitutio pacis nundinarum in burgo domini Regis citra Forth scilicet postquam pax nundinarum proclamata fuerit nullus capietur nec attachabitur in illis nundinis nisi infregerit pacem nundinarum versus nundinas veniendo vel inde redeundo vel in iis nundinis moram faciendo vel nisi utlagus domini Regis fuerit vel proditor Regis aut talis malefactor quem pax ecclesie defendere non debeat. Quod si talis fuerit malefactor aut pacem nundinarum infregerit attachabitur firmiter usque ad placita nundinarum. Et tunc recto stabit et justicia de eo fiet unde fuerit calumpniatus.

LXXXVII.

De Rebus furatis et inventis in Nundinis.

Si quis invenerit rem suam in nundinis quam dicit sibi esse roboratam vel furatam vel amissam debet ducere eum cum quo res inventa fuerit ad ballivos nundinarum et coram illis debet nominare dominum suum et ubi domum habet et invenire plegium coram ballivis nundinarum calumpniatori quod quindecimo die post nundinas habebit rem calumpniatam in loco quem nominaverint ballivi et ibi stabit recto calumpniatori. Si vero plegium non habuerit ballivi debent retinere rem usque dum calumpniatori plegios invenerit aut amplius ad placita nundinarum. Et si calumpniatus tunc venerit et plegium invenerit sicut dictum est res ei commendabitur et calumpniator loquelam suam prosequatur. Si autem calumpniatus ad placita nundinarum non venerit res tradatur calumpniatori per bonos et securos plegios ita quod si aliquis alius veniat qui inde loqui voluerit ipse ad summonicionem predictorum ballivorum perducatur rem illam eo loco quo eam recepit et talem qualem eam recepit aut rei valenciam si res perierit aut custodia sua fuerit peiorata ad faciendum ibi quod justum fuerit de eadem.

LXXXVIII.

De Nativis Fugitivis inventis in Nundinis.

Si quis invenerit nativum suum fugitivum in nundinis dum pax durat nundinarum non potest eum capere nec attachiare.

* * *

XC.

De Burgensibus Debitoribus.

Si burgensis debeat debitum alicui et ad terminum non habeat unde possit persolvere nisi terras suas oportet creditorum dictas terras retinere per unum annum et unum diem et infra annum et diem propinrioribus amicis dictas terras offerre. Et si eas emere vel acquiescere noluerint licebit ipsi creditori eas vendere ubicunque melius poterit. Et si quid ultra pecuniam suam sive debitum residuum fuerit debitori restituitur.

* * *

XCIII.

De Sutore tannante.

Nullus sutor tannator potest emere coria ad tannandum majoris precii quam quod cornua et aures sint equalis longitudinis.

* Ayr MS. "aliam peregrinationem."

C.—ASSISE WILLELMI REGIS.

XXXIX.

De Libertate Gilde Mercatorie.

Item statuit (Rex Willelmus) quod mercatores regni habeant gildam suam mercatoriam et ista gaudeant in pace cum libertate emendi et vendendi ubique infra limites libertatum burgorum ita quod quilibet sit contentus sua libertate et nullus occupet libertatem alterius ne forte in itinere camerarii nostri condemnetur ut foristallator et puniatur.

XL.

De Mercimoniorum Venditione.

Item statuit quod nullus prelati aut persona ecclesiastica neque comes baro aut persona secularis presumat emere lanam pelles coria aut huiusmodi mercimonia sed huiusmodi vendant mercatoribus burgorum infra quorum libertatem et vicecomitatum morantur domini vendentes: Et precipit dominus Rex quod huiusmodi mercimonia et omne genus mercimoniorum presententur ad forum et crucem burgorum suorum et ibidem ad minus preofferantur mercatoribus burgorum effectualiter sine fraude: Et inde ibidem solvetur custuma regia.

XLI.

De Extraneis Mercatoribus.

Item statuit quod nullus extraneus mercator cujuscunque nationis fuerit emat vel vendat aliquod genus mercimoniorum extra burgum sed in burgo tantum et precipue mercatoribus et a navibus mercatorum burgi. Precipit etiam dominus Rex quod nullus extraneus mercator cum navibus veniens et cum merchandisi scindat pannum vel vendat in denariis sed in grosso et tunc in burgo et mercatoribus burgi. Et si aliquis extraneus mercator faciens in contrarium reperitur capiatur per ministros de gilda et detineatur et puniatur tanquam defensionem regiam confringens.

D.—STATUTA GILDÆ.

*Extracts.**Constitutio de regratariis quod non emant ante certam horam.*

Statuimus etiam quod nullus regratarius emat pisces, fenum, auenas, caseum vel aliquod aliud quod ad Burgum differatur vendendum ante pulsacionem campanæ in berffredo. Et si quis vero contra hanc prohibitionem nostram venire presumpserit, res empta capiatur et secundum considerationem Balliuorum nostrorum pauperibus ville erogetur.

XXXIII.

Constitutio de mercimoniis emendis.

Statuimus insuper quod nullus emat aliqua mercimonia que ad Burgum differantur ad vendendum super pontem de Twede neque in Briggate neque extra portas ville antequam ad forum Burgi perveniat. Et si quis super hoc conuictus fuerit rem emptam amittet et commodum illius ad Gildam nostram vertatur.

XXXIV.

Constitutio facta de lana et de corio venientibus ad villam.

Item statuimus quod nulla mulier virum habens emat lanam in vico nec aliquis burgensis habeat tantummodo vnum garcionem ad lanam vel coria emenda. Et si quis irrationabiliter emat lanam vel coria ultra statutum mercatorium in deteriorationem communitatis ville dicta lana vel coria capiantur et ad commodum Gilde vertantur et dictus homo vel garcio sit in forisfacto viij solidorum.

XL.

Constitutio facta de cyrotecariis et pellipariis de pellibus lanutis.

Item statuimus quod nullus pelliparius aut cyrotecarius aut aliquis alius Burgensis faciat lanam de aliquibus pellibus a festo Pentecostis vsque ad festum

Sancti Michaelis set vendat pelles quales fuerint secundum quod melius poterit. Et si aliquis pelliparius vel cyrotecarius super contrarium conuictus fuerit ab officio suo per vnum annum et diem deprinetur. Et si aliquis Burgensis contrarium fecerit et super hoc conuictus fuerit quociens esset dabit vnum dolium vini ad Gildam.

XLI.

Constitutio facta de allecibus et de modo empcionis eorundem.

Item statuimus ut quicunque Burgensis emerit allec omnes vicini sui quicunque presentes fuerint ad empcionem dictorum allecium habebunt pro eodem precio quo ipse emit sine aliqua fraude. Et si quis voluerit partem habere qui ad empcionem dictorum allecium presens non fuerat dabit emptori de lucrum xij. denarios. Et si quis conuictus fuerit de contrario dabit vnum dolium vini ad Gildam. Et si quis non satisfecerit venditori dictorum allecium de solucione pecunie sibi debite et super hoc conuictus fuerit similiter ipse dabit vnum dolium vini ad Gildam. Et hoc intelligendum est de confratribus Gilde et non de aliis.

XLIII.

De auenis venientibus burgo vendendis.

Item statutum fuit in Ecclesia Sancti Nicholai in crastino Sancti Cuthberti proximo sequente anno supradicto quod nulla mulier emat in foro auenas ad faciendum braseum ad vendendum plusquam vnam celdram. Et si plus emerit amittet quantum emerit. Et sciendum est quod tertia pars remanere debet Balliui Burgi et residuum ad Gildam.

XLIV.

A.D. M.CC.LXXXIII.

Constitutio facta de carnificibus animalia ementibus.

Item statutum fuit die Mercurij in vigilia Apostolorum Symonis et Jude anno m.cc.lxxxiii. quod nullus carnifex a festo Sancti Martini vsque ad Natale debet ire extra villam ad obuandum bestiis venientibus ad villam vendendis nec aliquo die infra dictum tempus bestias emere in foro ante prandium nec in fraude procurabit sibi bestias vsque post prandium teneri. Et si quis vero contrarium fecerit ab officio suo per annum et diem exponatur.

XLV.

Constitutio de corio tannato.

Item statuimus quod nullus extraneus ferens coria tannata ad vendendum veudat ea infra domum set in foro communi et hoc tantum per diem fori statutum. Et licet coria fuerint cesa in frusta dabit tolloneum.

XLIX.

De empoione fabarum et pisarum vel similium ad naues.

Prima curia tenta die Jouis ante festum Penthesteos anno Domini m^{cc}. nonagesimo quarto. in aula fratrum ordinis Sancte Trinitatis statutum et ordinatum per vnanimum consensum et assensum expressum et voluntarium omnium fratrum Gilde quod nullus emat aliquod genus bladi, fabarum, pisarum, salis, carbonum, seu cetera venalia apud Berwicum venientia per mare nisi sit ante bordam navis videlicet *at the Rade bra*, nec portet dicta bona empta de naue ante ortum solis set ab ortu vsque ad declinationem solis fiat portagium sine requie. Et si quis huius rei contrarium fecerit et super hoc conuictus fuerit dabit vnum dolium vini fratribus Gilde.

LI.

Constitutio facta de Burgense forishabitante.

Item eodem die ordinatum est ex assensu et consensu predictorum confratrum Gilde quod nullus Burgensis vel confrater Gilde nostre forishabitans audeat nec presumat aliqua mercimonia ad Gildam nostram pertinentia infra Burgum nostrum emere vel vendere nisi tantum in die fori. Et quod nullus forishabitans emat aliqua victualia ad Burgum nostrum per naues venientia ad tabernanda nisi tantum ad sustentacionem domus sue. Et si quis contrarium fecerit et super hoc conuictus fuerit dabit vnum dolium vini ad Gildam nostram.

E.—FRAGMENTA COLLECTA.

From the Burgh Record Society Publications, Vol. i., p. 160, and the Acts of the Parliaments of Scotland, Vol. i., p. 362.

Of special freedoms granted to the Burgesses by King William.

The King William, King of Scotland, granted to the burgesses of his said kynrik:—

That nane of thaim suld be distrenyeit be na man to yelde oay det bot gif he be othir burgh or dettour.

And alsua . . . that thai haif thar merchandice with all the fredomys perteneand thairto, sua that nane of thame be mot with ut the yettis of thair toun of na maner of mute outtakin the mutis of all termys.

And . . . that nane of thame do batale bot of the mutis that fallis to the Kingis croune.

And yit at thai be derenyeit de the law of Wynchester, that is throu the acquittance of xii. lele men that ar burgess.

And . . . that thai salbe quyt of tol and lastage, of pontage, of passage alswele within as without of all the havynnis of the sey within the kinrik of Scotland, alswele on this side of the Scottis sey as beyond.

And . . . that tane of thaim be dempnit in amerciament of thair gudis bot eftir the custum of the Wynchester, that is nocht attore is.

And . . . that thair sall haue thair landis, tenementis, or weddis, or dettis to thame aucht resonably.

And all maner of othir thingis till thair creance lent or laid in wed within thair burghes it sall fully be determyt and endit.

XXVI.

De quietis a theloneo et custuma.

Comites et Barones vassalli [vavasouris] et libere tenentes per cartam et firmam ad terminum vite et omnes qui tenent terram elemosinatam erunt quieti a thelonio prestando et custuma infra burgos videlicet qui sunt in comitatibus ubi maneant ad emendum et vendendum vidum et vestitum ad usos suos proprios nisi aliqui ipsorum fuerint mercatores communes, et tunc debent custumam et eciam firmam, qui habent eandem libertatem quam barones habent [althoyt thai haf the samyn fredom that has the Barounis of Baronyis] Hec David Rex apud Edinburgh.

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XXIX.

De libertate burgensis.

Burgenses qui sunt mercatores et pedepulverosi quando exeunt extra quatuor portas in omnibus mercandis et agendis et si male egerint extra quatuor portas vel in aliqua baronia, habebunt sine contradictione legem mercatorem tercia hora diei in

crastino. Item statuit Rex David quod omnes burgenses sui sint liberi per totum regnum . . . ad emendum et vendendum . . . super plenariam suam forisfacturam, quia sunt in sua firma protectione.

XLIII.

De carnibus appreciandis.

Item de omnibus carnibus venientibus ad forum tam infra habitantium quam extra precium apponatur per appreciatores ad hoc constitutos et precipiatur venditori quod vendat illos carnes sub illo precio cuicumque emere volenti et si noluerit distringatur per balliuos. Et si aliquis excedat illud precium similiter corrigatur. Et nullus vendat carnes antequam apprecientur. Ed quod nullus carnifex sit pastillarius.

XLV.

De porcis et salmonibus corruptis.

Item quod porci et salmones corrupti [si] vendendi producantur ad forum per quoscumque capiantur per balliuos et in continente mittantur ad leprosos sine questione aliquali. Et si venditor aliquam solutionem inde receperit reddat iterum emptori sine aliquali difficultate et si noluerit ad id faciendum distringatur per balliuos. Et si leprosi ibidem non fuerint penitus destruantur.

XLVI.

De foro et re vendita.

Omnes rure manentes et libere tenentes tanquam rustici qui sunt manentes in comitatibus nostris veniant cum omnibus rebus suis mobilibus ad vendendum et non ad aliud forum quam ad forum nostrum infra vicecomitatum ubi manent. Et si aliter faciendo convicti fuerint quilibet dabit viij. solidos ad forisfactum et rem amittet.

XLVII.

Pondera et mensura.

In omni itinere clericus camerarii deferat secum pondera et mensuras et faciat. quod strictissime examinentur pondera tronarum et quod omnino concordent cum ponderibus suis nec minus nec plus.

XLVIII.

Gravis pena de pondere et mensura.

Si aliquis vel aliqua convictus fuerit de falso pondere vel mensura per inquisitionem balliuorum erit in voluntate regis de vita et membris de terris et tenementis. Et heredes eorum omnino exheredabuntur nisi gratia domini regis interuenerit.

F.—ASSISA DE TOLLONEIS.

PARVA CUSTUMA QUE DICITUR LE TOL.

Assisa Regis David Regis Scottorum facta apud Nouum Castrum super Tynam per totam communitatem suam Scocie tam Baronum Burgensium quam aliorum de tolloneis et custumis Burgorum.

I.

De custuma quadrigarum et trussellorum.

In primis de quadriga cum quatuor bobus iiij. d. De quadriga cum equis ij. d. Item de trussello retro sellam, ob. Item de trussello in sellam i. d. De trussello cordelato iiij. d. De trussello braciato uel at-tachiato i. d. De culcitra plumali iiij. d. De quissio, ob.

II.

De custuma tymbriarum.

De tymbria vulpium cirogrillorum martinorum murelegorum sabinorum beueriorum uel similium de vnaquaque tymbria ad exitum iiij. d. De tymbria schorellorum ij. d. De mille de gris uel de scorello preparatis et coieratis, viij. d. De qualibet pelle de lutur, ob.

[OF PETTY CUSTOMS CALLED TOLL.]

[The assize of King David King of Scots made at New-castle upon Tyne by his whole community of Scotland, Barons, Burgesses, and others, concerning the tolls and customs of burghs.]

I.

Of waynis and tursels.

Imprimis, of a wayne of four oxyn iiij. peniis. Of a wayne of four hors ij. peniis. Of a tursel behind a sadyl a halfpeny. Of a tursel in a sadyl a peny. Of a tursel befor a man iiij. d. (Of a feather bed iiij. d. Of a pillow a halfpenny).

II.

Of peloure.

Of a tymmyr of skynnis of toddis, quhytredys, mer-trikis, cattis, beueris, sable, firrettis, or swylk vihyr of ilk tymmyr, at the outpassing iiij. d. Of the tymmyr of skurel ij. d. Of ane hundreth gray gryse and skurel dycht and letheryt viij. d. Of ilk otyr skyn a halfpeny.

III.

De custuma bladi et tolloneo summarum equorum et fasciculorum hominum et de custuma fori de thur-tolloneo animalium.

De vnaquaque celdra bladi uel farine brasei uel salis, i. d. De quarterio cuiuslibet, qdr. De quolibet sacco bladi farine, brasei uel salis ad exitum, qdr. De fascicula hominis bladi farine brasei uel salis si excedat bollam, qdr. ad exitum, si non excedat bollam nihil, idem erit de fabis et pis. De summa panis uel porretorum in equo, ob. De fascicula in dorso hominis panis uel porretorum, qdr.; si autem portauerit huiusmodi super caput nihil soluet. De summa ollarum in equo, ob. De fascicula ollarum in dorso hominis, qdr. De summa casei uel butiri in equo, ob. ad exitum. De fascicula casei uel butiri in dorso hominis, qdr. De summa ferri in equo, i. d. De fascicula warencie, uel de madir, uel de walde in equo, i. d. De fascicula warencie uel de walde in dorso hominis, ob. De fascicula mercerie, qdr. et si aliquid vendat, ob. et si aperiat fasciculam in foro ad vendendum et nihil vendat dabit qdr. Si vna pecia panni vendatur in foro nihil dabit ad custumam. Si vero scindatur in vlnis venditor dabit bedello burgi, ob.

IV.

De custuma diuersarum bestiarum.

De vacca empta, ob. De equo empto, i. d. De quolibet equo empto non equitato transeunte de foro sine sella, ob. De quolibet bone uel vacca transeunte vbi custuma dari solet, qdr. De decem bidentibus capris, uel porcis i. d. De v. uel iij^r bidentibus capris uel porcis, ob. De iij. uel ij. bidentibus capris uel porcis, qdr. Si autem animalia predicta fuerint alicuius libero tenentis per cartam et forinsecum seruicium pro propriis suis vsibus nihil prestabit. Si autem vendere voluerit pro lucro dabit custumam ut predictum est de animalibus.

V.

De custuma coriorum lane et pellium lanutarum.

De lasta coreorum, viij. d. De qualibet dacra coreorum si vendantur per dacras, i. d. De dimidia dacra, uel iij^r coreis, uel tribus uel duobus coreis, ob. De vno coreo [per se, ob.] De vno coreo tanato, qdr. ad exitum. De lasta coreorum ceruorum, viij. d. De dacra de hyndecaluis, i. d. et ob. De vna lasta lane videlicet de x. saccis qui simul habuerit, viij. d. De vno sacco lane, iij. d. De vna vaga lane, ij. d. De viij. petris vel vij. vel vj. lane, i. d. Et de quinque uel iij^r uel ij. uel ij. uel de vna petra lane, ob. De vna petra lane tincte, ob. De c. pellibus lanosis, iij. d. De lx. pellibus lanosis, ij. d. De bynda pellium de schorlingis scilicet xxiiij. i. d. De c. pellibus hogrellorum, ii. d. De c. pellibus agnorum, i. d. et ob. De c. pellibus caprinis uel leporinis i. d. ob.

VI.

De custuma allecium et piscium.

De lasta allecium, iij^r d. De mille allecibus, i. d. De c. salmonibus ad introitum nihil, ad exitum, iij^r d. De piscibus kelynge et lynge, hadok, de quolibet c. iij. d. de exitu, et nihil de introitu. De mille de hadoch, uel de whyttinge, uel de codelinge, j. d. De summa equi cuiuslibet modi piscium uel allecium siccatorum ad exitum, i. d. De summa equi, moluel, hadoch, codelynge, wyttinge, uel ostriarum, uel cuiuslibet piscium posita ad vendendum detur pro stallagio fori i. d. De summa equi cuiuslibet modi piscium ducta extra villam vbi custuma debetur, i. d., preterquam de colmouth vnde debetur, ob. De fascicula piscium super dorsum hominis ad exitum, ob. De allecibus si per summam equi ducantur, pro mille allecibus, i. d. Et pro stallagio fascicule cuiuslibet, ob. Item pro ix^c, uel pro viij^c, uel vij^c, allecibus, i. d. Item pro vj^c, uel v^c, uel iij^c, ob. Item pro iij^c, uel ij^c qdr. De lasta allecium recentium, iij. d. De dimidia lasta, ij. d. Si ducantur per eum qui cam emit, set si ducantur ad portum maris per piscatorem nihil debetur pro allecibus set pro sua sede.

III.

Of corne salt and syk thing.

Of ilk chaldre of corn mele or salt i. d., of half a chaldre a halfpeny, of a quarter 1 farding. Of ilk sek of corne mele or salt or malt, & it excede a bol it sal gyf at the outegang a farding, and gif it excedis nocht it sal pay nocht. And swa it sal be of benys and pese. Of a soume of lekys on a hors a halfpeny. Of a byrthyng on a manis bak of brede or lekys a farding; and gif he bere thaim on his hede he sal pay nocht. Of a soume of pottys on a hors a halfpeny. Of a byrthyng of pottys on a mannis bak a farding. For a burding of butter or cheese on a hors at the out passage a halfpeny. Of a byrthyng of cheese on a mannys bak or buttyr a farding. Of a soume of ilyn i. d. Of a soume of madyr or wauld on a hors i. d. Of a byrthyng of madyr or wauld to sel a halfpeny. Of a byrthyng of mercery a farding, and gif onything thereof is sauld a halfpeny, and gif he opinis his birding in the market to sell and nocht sellis he sal gif a farding. Of a pece of cloth sauld in the market nathyng salbe gevin to the custome bot gif be cloth be schorne thru the Aldyr-mannys leve and be saulde be elnys the sellar sal gyf a halfpenny to the burow sergeand.

IV.

Of custome of bestys.

Of any ox boucht in the market a halfpeny. Of a kw a halfpeny. Of a hors a peny. Of ilk hors boucht and nocht rydin gangand out of the toun bot a sadil a halfpeny. Of ilk ox or kw gangand whar custome suld be gyfin a farding. Of ten schepe gayt or swine i. d. Of four or five gayt schepe or swyne a halfpeny. Of twa or three gayte schepe or swyne a farding. And gyf thir bestis be of only fre haldand man with charter tyl his awyn oyse thai sal gyf nathyng. But gyf he wyl sel thaim thai aw custome on this wyse.

V.

Of custome of hydys and skynnys.

Of a last of hydys viij. d., of half a last iij. d., of ilk dakir of hydys sauld in dakir i. d., of half a dakyr or four or three twa hydys j. halfpenny, of a hid at the oute passing a fardying, of a last of bert hydys aucht peniis, of a dakyr of hynd calwis thre half peniis, of a last of wol that is to say for ten sekkys gaddryt togyddyr aucht peniis, of a sek of wol four peniis, of a waw of wol that is to say half a sek twa peniis, of aucht seven or sex stane of wol a peny, of five four thre or twa or ane stane of wol a half peny, of a stane of lyttyt wol a half peny, of a hundredth wol skynnys four peniis, of thre score twa peniis, of a bynde of skynnys of schorlyng that is to say twenty four a penny, of ane hundredth hog skynnys thre half peniis, of ane hundredth lam skynnys thre half peniis, of ane hundredth gayte skynnys or har skynnys thre half peniis.

VI.

Of custome of heryng and fischis.

Of a last of heryng salbe payt to custome four peniis, of a thousand heryng a peny, of a hundredth salmond at the entryng nathyng, bot at the furth passyng four peniis, of ilk hundredth fysch kelyng leyng or hadok at the entryng nocht, bot at the oute passyng four peniis, of a thousand haddockis or whytingis [or codlying] a peny, of a hors lade of salmonde at the entry a peny, of a hors some of ony other manner of fysch or heryng dry, at the furth passyng a peny, and of a horse lad of kelyngis hadokis whytyngis or codlyngis or oystis, of sik maner of fysch put to sel for the stalage a peny, of a hors some led oute of the toun of sic maner of fysch a peny. Outane colemoth a half peny, of a byrthyng of fysch on a mannys bak at the furth passyng a half peny, of a thousand heryng and thai be led on a hors a penny, for ilk byrthyng for the stalage of the market a half peny, and for nine aucht or seven hundreth heryng a peny, for sex five four thre twa or ane hundredth heryng a fardying. Item for a last of fresche heryng four peniis. Item half a last twa peniis and gyf thai be led thw the byar that byis thaim, bot gyf thai be led to the havyn with the fyschar he sal gyf nathyng for the heryng, bot for his set.

VII.

De custuma aueriorum ponderis.

De brasil ad introitum nihil dabit, set de c. de brasil ad exitum, ij. d. De cera ad introitum nihil dabit, set de qualibet uaga cere ad exitum, vii. d., si ponderetur per petras qualibet petra dabit pro custuma ad exitum, i. d. De carca scilicet bale piperis, cimini, uel alumpni, zynzeberis, setenale, amigdalorum, uel risarum, aut talium consimilium nihil ad introitum, set de qualibet carca scilicet bale, iiij. d. ad exitum. De poketa alumpni ad exitum, ij. d. De c. libris piperis et cuiuslibet modi predictorum, ij. d. De quibuscunque c. libris aueriorum ponderis de quolibet c. per se ad exitum, ij. d. et pro quolibet c. libris quando uenduntur, pro custuma fori, ij. d. De c. ferri, ij. d. De quadriga plumbi uidelicet de xxiiij. fotemalis, iiij. d. De vaga cepi uel vncti, i. d.

VIII.

De custuma canabii retium florum meremni et cultellorum.

De c. canabij, j. d. De c. taysis de rethibus ad introitum, ij. d. De c. libris florum pro rethibus faciendis, ob. De c. libris linei, ob. De c. bordis, iiij^{or} d. De c. de cheueronys, iiij. d. De c. cultellis, ob.

IX.

De custuma de cordewane, baterie.

De duodena de cordewane nihil ad introitum, set ad exitum, iiij. d. De iiij^{or} uel tribus pellibus, i. d. De ij. pellibus, ob. De vna pelle, nihil. De duodena patellarum baterie ad exitum, ij. d. et nihil ad introitum. De duodena cacaborum ad exitum iiij. d. et nihil ad introitum. De dimidia duodena cacaborum, i. d. ob. De tribus cacabis, i. d. De duobis cacabis, ob. De duodena ollarum enearum, ad exitum, iiij. d., et nihil ad introitum. De duodena serurarum, ob.

X.

De cepis (et custuma) alleorum calibis ferri ciste et arche.

De cepis et allea nichil ad introitum, set de qualibet summa equorum, uidelicet xxiiij. rasis ad exitum, ob. De mille cepis ad exitum, ob. De garba calibis uidelicet xxx. esperdiis ad exitum, obolum. De garba ferri pile, uidelicet de xvj. esperdijs ad exitum, ob. Qui portauerit ferrum in doleo, pro c. ferri iiij. d. ad introitum. Et cum vendiderit, doleum uacuum erit ad vsum regis. De cista uel archa sine serura, i. d.

XI.

De doleis.

Si cardones guello uel aliqua mercimonia adducta in doleo vendantur tabernando doleum vacuum erit regis, et pro quolibet doleo ad introitum, iiij. d. Et de mille cardonibus, i. d. De barello cum cineribus, ij. d. De barello cum calibe, viij. d. De barello cum oleo, ij. d. ad introitum, et ij. d. ad exitum.

XII.

De guello.

Si aliqua nauis veniens carcata fuerit cum guello dabit pro qualibet frayel ad introitum xxij. d. et ad exitum, xxv. d. Pro qualibet mensura scilicet sectinge de guello dabit ob. Item pro qualibet frayel de guello que remanet in burgo penes extraneum non vendita vltra festum Sancti Martini debet xvij. d. de retornato.

VII.

Of custome of merchandise.

Brasyl at the entryng aw nathing bot at the outgang ilk hundredth of brasyl sall pay twa peniis, and of wax at the entre nathing, bot of ilk waw at the oute passyng aucht peniis gyf it be weyit be wawys, and gif it be weyit be stanys of ilk stane at the furth passyng a peny for custome. Of karkys or balys of peper, coymn, alom, gynger, setwell, almondis, or ris fygyrs rasynys or vthir syk thyng at the entre nocht, bot of ilk bale at the furth passyng four peniis, of a pokat of alom at the furth passyng twa peniis, of ilk hundredth pund peper or of vthir syk thyng forsaid twa peniis, and of al maner of thingis of awyr de paiis, of ilk c. pund at the outgang twa peniis, and for ilk hundredth gyf it be sald of custom twa peniis, and for the custome of the market twa peniis, of a hundredth ilyn twa peniis, of a wayne wyth lede that is to say xxiiij. futmellis four peniis, of a waw of grese sayme or oyle a peny.

VIII.

Of the custome of cannes kollis threde burdis & knyffys.

Of a hundreth cannes a peny, of a hundreth karkes of kollis at the entryng twa peniis, and at the furth passyng twa peniis, of a hundreth pund of threde to mak kollis a half peny, of a hundreth pund of lynyn threde a half peny, of a hundreth burdis of tymmer four peniis, of a hundreth cheueronys four peniis, of a hundreth knyffys a half peny.

IX.

Of the custome of cordwan.

Of a dusane cordwan skynnys at the entryng nocht, bot at the furth passyng four peniis, of four or thre cordwane skynnys a peny, of twa a half peny, of ane nathing, of a dusane of pannys of battry at the furth passyng twa peniis, at the entryng nocht; of a dusane of caldronys at the outgang thre peniis, and nocht at the entre, and of half a dusane of caldronis thre half peniis, and of thre caldronys a peny, of twa a half peny, of a dusane brasyn pottys at the furth passyng thre peniis, and of a dusane of lokkys a half peny.

X.

Off the custome of onyonis, garlek, &c.

Of onyonys and garlik at the entre nathing, bot of ilk soume of garleke that is to say xxiiij. rasy at the furth passyng a half peny, of ilk thousand vnionnis at the outgang a half peny, of a schef of stele, that is to say, xxx. gaddys at the furth passyng a halfpeny of ilk schef of jryn pile, that is to say xvi. gaddis at the furth passyng a halfpeny, and whasa bryngys ilyn in ton he sal gyf for the hundreth ilyn four peniis at the entre, and when it is saulde the tome ton salbe the kyngis, of a kyst or of ane ark with lok twa peniis, bot lok a peny, of a kyst or a schryne wyth sape in it twa peniis, of a kyst or schryne with wax a peny.

XI.

Of tonnys.

And gyf ony tassall walde or ony vthyr marchandys brocht in tonnys be tappyt and sauld the tome ton salbe the kyngys, and thai sal hafe for ilk ton at the entre four peniis, and for ilk thousand tassallis a peny, and ilk barell of tasill twa peniis, of a barell wyth assis twa peniis, of a barell wyth stele aucht, of a barell wyth oyle at the entre twa peniis, at the furth passyng twa peniis.

XII.

Of walde.

And gyf ony schyp cum wyth walde he sal gyf for ilk frael at the entre twenty and twa peniis, and at the furth passyng twenty five peniis, and for ilk mesure that is callyt a settyng a half peny, and swa for ilk frael remaynand in the burgh of strange mannys vn-sauld atoure the feste of Sanct Mertyn it sal gyf auchten peniis for the retret wardis.

XVII.

RECORDS RELATING TO MARKETS IN IRELAND.

A. Extracts from the Record styled "CHARTAE, PRIVILEGIA, ET IMMUNITATES."

HENRICUS II.

Carta libertatum civitati Dublin. concessarum.

A.D. 1171. Henricus rex Angliæ dux Nor-
 An. 18. Hen. II. manie et Aquitanie et comes Ande-
 — gaviae archiepiscopis episcopis
 Ex orig. in abbatibus comitibus baronis jus-
 Archiv. Civitat. ticiariis vicecomitis ministris et
 Dubl. omnibus fidelibus suis Francis An-
 glicis et Hiberniensibus totius terre
 sue salutem. Sciatis me dedisse et concessisse et pre-
 senti carta confirmasse hominibus meis de Bristowa
 civitatem meam de Duvelina ad inhabitandam quare
 volo et firmiter precipio ut ipsi eam inhabitent et
 teneant illam de me et de heredibus meis bene et in
 pace libere et quiete integre et plenarie et honorifice
 cum omnibus libertatibus et liberis consuetudinibus
 quas homines de Bristowa habent apud Bristowam et
 per totam terram meam. Teste Willielmo de Braoso,
 &c. Apud Duvelinam.

[Grant of a Fair at Swords.]

Sciatis me, &c. . . . salute mee et antecessorum
 necnon successorum meorum concessisse et hac carta
 mea confirmasse karissimo patri meo in Christo Johanni
 archiepiscopo Dublinie et successoribus suis quod
 habeant nundinas in villa de Swerdes que est de
 archiepiscopatu Dublinie singulis annis semel circum
 festum scilicet Columkill per viii. dies duraturas quam
 volo et firmiter precipio quod idem Johannes archi-
 episcopus et successores sui habeant predictas nun-
 dinas bene et in pace et quiete pacifice et honorifice
 cum libertatibus et liberis consuetudinibus ad feriam
 pertinentibus absque omni consuetudine et exactione
 que a me vel heredibus meis inde possit ferri hiis
 testibus, &c.

Carta villae de Swerdes.

A.D. —. Universis Christi fidelibus . . .
 An. — Ric. I. J. Dei gratia Dublinensis ecclesie
 — minister salutem et benedictum.
 Ex Alani Reg. Noverit universitas vestra nos con-
 p. 142, d. cessasse et presenti carta confirmasse
 penes Archiep. burgensibus nostris de Swerdes
 Dublin. omnia burgagia sua sicut primo
 instituta et data fuerint videlicet
 pro singulis burgagiis duodecim denarii annuatim
 solvendi in duobus terminis . . . cum omnibus liber-
 tatibus et liberis consuetudinibus quas cives Dubli-
 nensis habent et quas eis rationabiliter concedere possi-
 mus et warentizare hiis testibus, &c.

A.D. 1189, An. I. Ric. I.

Concessio terrarum et mercuti apud Naas Willielmo filio Morisci confirmata.

A.D. —. Johannes filius domini regis
 An. — Hen. II. Angliæ et dominus Hibernie omni-
 — bus hominibus et fidelibus suis
 E Rot. Mem. Francis et Anglicis et Hiberniensi-
 20 Edw. IV. m. 16. bus salutem Sciatis me concessisse
 et presenti carta mea confirmasse
 Willielmo filio Moricii et heredibus suis unum cantere-
 dum terre quem Makelan tenuit non propinquorem
 Duvilino sed aliud scilicet in quo villa de Nas sita est
 quem comes Ricardus dedit Moricio patri ipsius
 Willielmi tenendum de heredibus comitis Ricardi per
 servicium v. militum pro omni servicio quare volo et
 firmiter precipio quod predictus Willielmus et heredes
 sui per eum habeant et teneant bene et in pace libere
 et quiete integre et plenarie honorifice et pacifice totam
 terram predictam cum omnibus pertinentiis suis in terra
 et mari in bosco et plano in castellis et forteleciis in
 burgis et villis in ecclesiis et capellis in pratis et pasturis
 in aquis et molendinis in stagnis et vivariis in [ripariis]
 et piscariis in moris et mariscis in viis et semitis et
 omnibus aliis pertinentiis suis. Concessi etiam et ei

mercatu apud burgum suum de Naas qualibet septiman-
 die sabbati Concessi etiam ei sach et soch et toll et them
 . . . et judicium aquæ et ferri et duellum et
 fossam et furcas et omnes alias libertates et liberas
 consuetudines que ad illam terram pertinent exceptis
 placitis et querelis que ad coronam regiam pertinen-
 que ad opus meum retinui. Testibus Berth, &c. apud
 Kildare.

Carta libertatum burgensibus de Trim per Walterum de Lacy concessa.

Temp. Ric. I. Sciatis . . . Walterus de Lacy
 — dedi et concessi et . . . confirmavi
 E Rot. Pat. burgensibus meis de Trim omnes
 Cromw. An. libertates quas habuerunt et quibus
 1657, p. 3, m. 5. usi fuerunt secundum legem Bristolli
 antequam chartam meam presentum
 de dono meo obtinuerunt Concessi
 etiam eisdem burgensibus ut habeant veterem boscum
 jacentem in foresta de Trim ad sua focalia per visum
 forestariorum meorum Et ut habeant pasturam . . .
 Supradictis vero libertates ego et heredes mei eis imper-
 petuum warrantizabimus et tenebimus. Et ut hec mea
 donatio et concessio rata et stabillis permaneat eam .
 . . confirmavi hiis. Testibus, &c

Legis Bristolli burgensibus de Kenlis in Midia per eundem concessa.

Temp. Ric. I. Sciatis . . . quod ego Walterus
 — de Lacy dedi et concessi et . . .
 confirmavi burgensibus meis de
 Ex Rot. Mem. Kenlis legem Bristolli habendum illis
 29 Eliz. m. 10. et eorum heredibus sicut melius et
 liberius alicubi data et concessa est
 aliquibus civibus secundum contentam rationabilem
 legis Bristolli ei prima institutione concessa [et eis]
 illos liberos et quietos esse de teloneo per totam terram
 meam quod nulli homini respondeant de aliqua causa
 versus illos mota versus hundredum suum nisi proprie
 persone mee causa pertineat et tres acras ad quodlibet
 burgagiam in campis quare volo et precipio quod
 predicti burgenses et eorum heredes habeant libere et
 quiete quicquid in hac carta illis concessi et confirmavi
 hiis testibus, &c.

JOHANNES.

De extraneis mercatoribus in civitate Dublin manentibus, et de gildis ejusdem civitatis.

Sub initio Johannes Dei gratia rex Anglie
 Regni Johan. dominus Hibernie, &c. . . .
 — episcopis abbatibus . . . salu-
 E Rot. Pat. tem Sciatis nos concessisse et . . .
 38 Hen. VIII. m. confirmasse civibus nostris de
 2, d. Dublinio tam extra muros quam
 infra muros manentibus quod nullus
 extraneus mercator emat infra civitatem de homine
 extraneo blada vel coria vel lanam nisi de civibus et
 quod nullus extraneus vendat pannos in civitate ad descio-
 cionem et quod nullus extraneus mercator moretur in
 civitate cum mercibus suis pro mercibus suis vendendo
 nisi per quadraginta dies et quod habeant omnes ration-
 abiles gildas suas sicut burgenses de Bristolia habent
 vel melius habere consuerunt.

B.—A DOCKET OF THE CUSTOMS OF THE GATES BELONGING TO THE CITY OF DUBLIN.

At a POST ASSEMBLY held at the THOLSEL of the CITY of
 DUBLIN, on Monday, the 13th of June 1763, the
 following ORDER was conceived, relative to the
 under-mentioned DOCKET, to wit:—

"That from and after the 24th day of June 1763 all
 goods and merchandises that are really the property of
 any freeman of this city do pass Custom free into and
 out of the city, provided such freeman do certify to
 the collectors of the Customs the quantity and quality
 of such goods, and that they are his property; that if
 any freeman of this city shall presume, after the said

24th of June, to certify that any goods are his property which are actually the property of any other person not free of this city, in order to defraud this city or their farmers of the Customs of such goods, such free-man to be proceeded against by the city agent, as Mr. Recorder shall advise, in order to his being disfranchised for such fraud and breach of oath.

"And it is further ordered that from and after the said 24th day of June all raw hides going out of this city shall be free from Custom going out; that bark going out of any of the adjacent liberties, to be made use of for tanning, shall likewise be free: that all iron going out to the several mills near the city to be manufactured, and returning to this city manufactured, shall be likewise free from Custom; that all salt manufactured in Ireland shall be free from any Custom; that all goods going to be manufactured, and the materials made use of therein, shall be free from Custom if they are returned to this city manufactured; and that Committee be empowered to regulate the Docket accordingly."

A.

Of every sack of ashes, one halfpenny.
every car load of apples or other fruit, twopence.
every horse load ditto, one penny.
every flasket ditto on one car, one halfpenny, not exceeding the price of a car load.
every barrel of ale coming in, brewed without the city or liberties adjoining, twopence.

B.

Of every tub of butter, one penny.
every crock or basket of ditto, containing ten pounds or upwards, one halfpenny.
every load of deal boards, exceeding six, one penny.
every load ditto, under six, one halfpenny.
every car load of brushes, twopence.
every horse load ditto, one penny.
every back load ditto, one halfpenny.
every horse load or car load of bed-mats, twopence.
every back load ditto, one penny.
every barrel of bark, one halfpenny.
every sack of green beans or peas, one halfpenny.
every bull, bullock, or cow, one penny.
every sack of button moulds, twopence.
every fitch of bacon, one penny.
every car load of brooms, twopence.
every horse load of brooms, one halfpenny.
every car load of brandy or other spirits, threepence.
every runlet ditto on one car, one penny, not exceeding the price of a car load.
every dozen ditto, one penny, not exceeding the price of a car load.
every pedlar's box carried on his back, one halfpenny.
every car load of brass, threepence.
every horse load ditto, twopence.
every single brewing pan, twopence.
every car load of baskets, twopence.
every car load of boy more, twopence.
every car load of bent, one halfpenny.
every sack of brogues, one penny.
every car load of bays, serges, frizes, stockings, &c., threepence.
every pack of flannel, twopence.
every bundle ditto, one penny.
every horse load of frizes serges, &c., twopence.
every car load of heel blocks or patten boards, twopence.
every car load of bulrushes, twopence.
every back load of ditto, one penny.
every car load of brussels, threepence.
every piece of buckram, one penny.
every horse load of earthenware, one penny.
every car load ditto, threepence.
every bedstead, one halfpenny.
every dozen of barrows, one penny.

C.

Of every car load of cheese, threepence.
every hundred weight ditto, one penny, not exceeding the price of a car load.
every horse load ditto, twopence.
every calf, one halfpenny.
every car, to be sold, one halfpenny.

A 55729.

Of every kish of charcoal, three halfpence.
every horse load of charcoal, one halfpenny.
every car load of candles or soap, threepence.
every horse load ditto, twopence.
every large hair cloth, one penny.
every car load of cradles, twopence.
every car load of chairs, twopence.
every dozen of chairs, one penny.
every bag of corker, one penny.
every sack of cutlins, one halfpenny.
every car load of cyder, threepence.
every single dozen ditto, on one car, not exceeding the price of a car load, one penny.
every kish of Kilkenny coal, one penny.
every dozen of woollen cards, one penny.
every hundred of cony feel, one penny.
every barrel of corn, as wheat, oats, &c., one farthing.

E.

Of every horse load of eggs, one penny.
every clieve load ditto, on backs, one halfpenny.

F.

Of every horse load of dead fowl, twopence.
every clieve of chickens, carried on backs or arms, one halfpenny.
every dozen of dead fowl, on one car, one penny, not exceeding the price of a car load.
every car load ditto, threepence.
every horse load of fish, one penny.
every car load ditto, twopence.
every salmon, one farthing.
every small basket of fish on one car, one halfpenny, not exceeding the price of a car load.
every trail of figs or raisins, one halfpenny.
every horse load of feathers, twopence.
every car load ditto, threepence.

G.

Of every crib of glass, twopence.
every back load of ditto, one halfpenny.
every load of grass, one farthing.
every goat or kid, one farthing.
every gage of all sorts, twopence.
all manner of grain, per barrel, one farthing.

H.

Of every bag of hops, threepence.
every pocket of hops, twopence.
every small parcel ditto, on one car, one penny, not exceeding the price of a car load.
every horse load of hats, threepence.
every back load ditto, twopence.
every dozen of hats, on one car, one penny, not exceeding the price of a car load.
every cow or bullock hide, tanned or untanned, one halfpenny, not exceeding sixpence in the whole, on one car.
every car load of herrings, fourpence.
every barrel ditto, twopence.
every mease ditto, on one car, one penny, not exceeding the price of a car load.
every hog or pig, one halfpenny.
every sucking pig, one farthing.
every load of broad hoops, twopence.
every load of small hoops, one penny.
every load of hay, one farthing.
every firkin or runlet of honey, one penny.
every crock of ditto, one halfpenny.
every car load of horns, threepence.
every bag of hairsell, one penny.
every cart of hay, one penny.

I.

Of every car load of iron, threepence.
every horse back load ditto, twopence.
every bar ditto, on one car, one halfpenny, not exceeding the price of a car load.
every bundle of nail rod iron, one halfpenny.
red iron per hundred-weight on one car, one penny, not exceeding the price of a car load.
every new iron pot, one halfpenny.
every bar of old iron, one halfpenny.

O

Of every car load of iron mine, one penny.
 every hundred of horse shoes and cart clouts, three farthings.
 every hundred of iron shovels or spades, three halfpence.
 every car load of iron pots, threepence.
 every horse load ditto, twopence.
 every hundred trips and brand irons, one halfpenny.
 every dozen of griddles, one penny.
 every car load of nails, threepence.
 every horse load of nails, twopence.
 every hundred-weight ditto, on one car, one penny, not exceeding the price of a car load.
 every hundred-weight of wrought-iron, on one car, one penny, not exceeding the price of a car load.

K.

Of every keeve, one penny.

L.

Of every car load of lead, threepence.
 every lamb, one farthing.
 every car load of dressed leather, sixpence.
 every horse load ditto, threepence.
 every leaden vessel, one penny.

M.

Of every car load of merchants' goods not herein particularly specified, being the property of one person, threepence.
 every horse load ditto, twopence.
 every bundle ditto, or what a man carries under him, one penny.
 every barrel of malt, one farthing.
 every mill wheel, twopence.
 every millstone, threepence.
 every barrel of meal, one halfpenny.

N.

Of every car load of nuts, threepence.
 every horse load ditto, twopence.
 every bag ditto, one halfpenny.

O.

Of every hogshead of oil, threepence.
 every runlet ditto, on one car, one penny, not exceeding the price of a car load.
 every barrel of oil, twopence.
 every car load of oysters, twopence.
 every horse load ditto, one penny.
 every car load of onions, threepence.
 every horse load ditto, twopence.
 every flasket ditto, on one car, one halfpenny, not exceeding the price of a car load.

P.

Of every sack of potatoes, one halfpenny
 every car load of pewter, threepence.
 every horse load ditto, twopence.
 every car load of paper, threepence.
 every horse load ditto, twopence.
 every car load of plants, one halfpenny.
 every barrel of white peas, one farthing.
 every barrel of pitch or tar, twopence.

R.

Of every car load of white rods, twopence.
 every ditto green, one penny.
 every barrel of rape-seed, three halfpence.
 every horse load of rabbits, twopence.
 every dozen ditto, on one car, one penny, not exceeding the price of a car load.
 every car load of rushes, twopence.

S.

Of every barrel of salt, twopence.
 every hundred-weight ditto, three farthings.
 every car load of sheep skins, threepence.
 every horse load ditto, twopence.
 every dozen ditto, on one car, one penny, not exceeding the price of a car load.
 every horse skin, one farthing.
 every car load of lamb skins, threepence.
 every horse load ditto, twopence.

Of every dozen ditto, on one car, one farthing, not exceeding the price of a car load.
 every car load of slink lamb skins, or kid, twopence.
 every horse load ditto, one penny.
 every back load ditto, one halfpenny.
 every dozen ditto, on one car, one farthing, not exceeding the price of a car load.
 every car load of calf skins, threepence.
 every horse load ditto, twopence.
 every dozen ditto, on one car, one penny, not exceeding the price of a car load.
 every load of barrel staves, one penny.
 every load of straw, one farthing.
 every car load of rabbit skins, threepence.
 every horse load ditto, twopence.
 every man's back load ditto, one penny.
 every dozen ditto, on one car, one halfpenny, not exceeding the price of a car load.
 every sheep, one farthing.
 every dozen of stockings, on one car, one penny, not exceeding the price of a car load.
 every load of silver mine, threepence.
 every load of flagstones, one penny.
 every load of slates, one penny.
 every load of marble stones, twopence.
 every load of grinding stones, one penny.
 every car load of bazils or pelts, threepence.
 every horse load ditto, twopence.
 every dozen ditto, on one car, one farthing, not exceeding the price of a car load.

T.

Of every hogshead of tobacco, threepence.
 every horse load or back ditto, twopence.
 every single roll ditto, on one car, one farthing, not exceeding the price of a car load.
 every hogshead of tallow, threepence.
 every barrel ditto, twopence.
 every cake ditto, on one car, one halfpenny, not exceeding the price of a car load.
 every load of made timber ware, twopence.
 every load of timber, one penny.
 every load of tazels, twopence.
 every back load ditto, one penny.
 every cart load of turnips, parsnips, and carrots, one halfpenny.
 every car load of trees, twopence.
 every horse load ditto, one penny.
 every back load ditto, one halfpenny.
 every timber, stutch, or chest, one penny.
 every load of tin, one penny.

W.

Of every hogshead of wine, threepence.
 every horse load ditto, twopence.
 every single hamper ditto, twopence.
 every dozen ditto, on one car, one penny, not exceeding the price of a car load.
 every runlet of wine, one penny.
 every pack of wool, threepence.
 every horse load ditto, twopence.
 every pocket ditto, on one car, one penny, not exceeding the price of a car load.
 every car load of wadd, threepence.
 every hundred of bees' wax, threepence.
 every car load of worsted, threepence.
 every horse load ditto, twopence.
 every hundred of yarn, one penny.

N.B.—All goods coming in for private use to be exempted from custom.

Examined by

ALLEN and GREEN, Town Clerks.

The DOCKET of TOLL of every SINGLE BARREL of GRAIN at the GATES belonging to the CITY of DUBLIN.

Wheat.	Oats.	Bere.	Malt.	Meal.
lbs. ozs.	lbs. ozs.	lbs. ozs.	lbs. ozs.	lbs. ozs.
3 10	2 4	2 12	2 1	2 9
Barley.	Flour.	Rye or Meal.	Crush.	
lbs. ozs.	lbs. ozs.	lbs. ozs.	lbs. ozs.	lbs. ozs.
2 12	2 7	3 9	3 12	

A DOCKET of the PETTY CUSTOMS of the MARKETS.

Of every car load of fruit, twopence.
 every high load of ditto, one penny.
 every flasket of ditto, one halfpenny.
 every batter standing, per week, twopence.

Of every root standing, per week, twopence.
 every standing for fowl, per week, twopence.
 every standing in corn market per day, one penny.
 every car load of hay and straw, at Smithfield, one halfpenny.

XVIII.

RECORDS RELATING TO MARKETS IN WALES.

EXTRACTS from the CHARTERS of the TOWNS of
CARMARTHEN and KIDWELLY.

(From the CHARTER ROLLS, 41 Henry III., memb. 9.
 A.D. 1257. *Wallia*.)

Pro Burgensibus } Rex Archiepiscopis, &c. Insuperimus
de Kermerdyn. } cartam quam Edwardus, filius
 noster primogenitus, fecit burgensibus de Kermerdin in
 hec verba: "Edwardus, illustris Henrici Regis Anglie
 "primogenitus, omnibus . . . salutem. Nouerit
 "universitas vestra, nos concessisse dilectis et fidelibus
 "burgensibus nostris de Kermerdin omnes bonas leges et
 "consuetudines quibus tempore Johannis Regis, avi nostri,
 "et predecessorum suorum, Regum Anglie, hactenus usi
 "sunt et gavis . . . Concessimus etiam eis,
 "quod si aliquis eorum alicui infra burgum suum foris-
 "fecerit, non ducatur infra portas castelli, dum possit
 "invenire bonos et saluos plegios de stando juri, nisi
 "pro transgressione pro qua plegiabilis non fuerit. Et
 "quamvis aliquis eorum aliquam rem claro die coram
 "vicinis suis emerit, et postea res illa fuerit calumpniata
 "tanquam furtiva, non amittet nisi tantum rem illam,
 "set iurabit cum sacramento vicinorum suorum, quod
 "nescivit rem illam emisse de latrone. Et quod nullus
 "eorum cogatur accomodare balliuo suo ultra duodecim
 "denaratas, . . . et quod nulla inquisicio de
 "rebus forinsecis fiat per predictos burgenses, set per libere
 "tenentes patrie, sicut hucusque fieri consuevit. Et quod
 "hec concessio nostra, rata et stabilis pro nobis et heredibus
 "nostris predictis burgensibus nostris, perseveretur, hoc
 "presens scriptum sigilli nostri impressione duximus coro-
 "borandum. Hiis testibus," &c. . . . Nos autem
 "predictam concessionem ratam habentes et gratam, eam
 "pro nobis et heredibus nostris concedimus et confir-
 "mamus, sicut predicta carta rationabiliter testatur. Hiis
 "testibus &c. . . . Datum per manum nostram
 "apud Westmonasterium iij die Februarij, anno regni nostri
 "xj^o. (See also Ch^r. Roll, 6 Edw. II. A.D. 1313.)

2. *Rotuli Wallie*, 8 Edward I., memb. 7.

[A.D. 1280.]

Rex dilecto et fideli suo Bogoni de Knouill, Justiciario
 suo West Wallie, Salutem. Quia pro multitudine
 hominum tam Anglicorum quam Wallensium, sectatorum
 Comitatus nostri de Kermerdyn, et ad utilitatem eorum-
 dem volumus quod, &c. . . . publice etiam
 proclamari faciatis et firmiter inhiberi ex parte nostra ne
 qui super grauem forisfacturam nostram ad distancium
 quinque leucarum in circuitu ville de Kermerdyn [emeret
 vel venderet mercimonia] per diem Sabbati donec aliud
 inde preceperimus. Teste, &c.

3. From the PATENT ROLL, 1st Edward III.

[A.D. 1327.]

Pro Burgensibus } Rex omnibus ad quos . . . salu-
de Kaermerdyn, } tem. Insuperimus litteras patentes
 et aliorum } Domini Edwardi, nuper Regis
 Wallia. } Anglie, patris nostri, in hec verba:
 "Edwardus, Dei Gratia, &c., omnibus ballivis et fidelibus
 "suis in Wallia ad quos, &c., Salutem. Cum tempore
 "Domini Edwardi, quondam Regis Anglie, patris nostri,
 "anno regni sui tricesimo tercio, quondam Princeps
 "Wallie eramus, per ipsum patrem nostrum et consilium
 "suum ac nostrum, pro emendacione et melioracione
 "burgi nostri de Kermerdyn, et aliorum burgorum nos-
 "trorum in Wallia, ordinatum esset, quod nullus in
 "partibus vicinis burgis nostris predictis per quinque
 "leucas in circuitu, emeret vel venderet mercimonia,
 "quocunque nomine censerentur, nisi in ipsis burgis, sub
 "forisfactura mercimoniorum predictorum per certum
 "balliuum nostrum ad hoc specialiter deputandum,
 "capiendorum ad opus nostrum, postquam eidem balliuo
 "constaret manifeste per se, vel per consideracionem curie
 "nostre, quod huiusmodi mercimonia emerentur vel
 "manifeste venditioni exponerentur, licet etiam non ven-
 "derentur, exceptis hiis que in locis per cartas priuile-

"giatis; et exceptis pane et ceruisia in predictis burgis
 "in grosso emptis, que postmodum in patria per ementes
 "licite vendi possunt; exceptis etiam carnibus et piscibus,
 "scissis caseis, ouis, pullanis, et huiusmodi minutis ven-
 "dibilibus: cera tamen, aut sepum extra burgos predictos
 "in grosso non venderetur: et quod dicta ordinacio
 "proclamaretur et publicaretur per justiciarium nostrum
 "in singulis curiis burgorum, seu in singulis curiis
 "senescallorum et comitatum partium illarum
 "quater in anno. Nos volentes ordinacionem predictam
 "firmiter et inuolabiliter obseruari de cetero et teneri,
 "vobis mandamus, quod contra ordinacionem predictam
 "nichil omnino attemptetis seu attemptari permittatis,
 "quominus dicta ordinacio pro emendacione et melioracione
 "burgorum nostrorum predictorum, sub forisfactura pre-
 "dicta ad opus nostrum capienda, modis omnibus valeat
 "obseruari. In cuius rei testimonium has litteras
 "nostras fieri fecimus patentes. Teste meipso apud
 "Westmonasterium tercio die Maij, anno regni sexto."

Nos autem ordinacionem predictam acceptantes, et eam
 firmiter et inuolabiliter obseruari volentes, vobis man-
 damus quod contra eandem ordinacionem nichil omnino
 attemptetis seu attemptari permittatis quominus ipsa
 ordinacio pro emendacione et melioracione burgorum
 nostrorum predictorum sub forisfactura predicta ad opus
 nostrum capienda modis omnibus valeat obseruari. In
 cuius rei testimonium has litteras nostras fieri fecimus
 patentes. Teste Rege apud Westmonasterium viij die
 Februarij.

Per ipsum Regem et consilium.

4. From the PATENT ROLL, 50 Henry III., memb. 12.

[A.D. 1266.]

De muragio de } Rex Balliuis et probis hominibus de
Kermerdin. } Kermerdin, salutem. Volentes ad
 instanciam filii nostri Edmundi vobis gratiam facere
 speciale, concedimus vobis quod consuetudines quas de
 rebus venalibus in villam vestram venientibus et eandem
 villam exeuntibus percipere consuevistis ad villam vestram
 predictam claudendam decetero capiat is vsque ad festum
 Sancti Michaelis proximo futuro et ab eodem festo Sancto
 Michaelis vsque in tres annos proximo sequentes completos.
 Ita quod completo termino dictorum trium annorum
 consuetudines predictae penitus cessent et deleantur. In
 cuius, &c. Teste Rege apud Kenilworth, xxvij^o die Junij.
 (There is also a like grant of the same customs "tam in
 "auxilium predictae ville vestre claudende, quam in
 "auxilium pontis vestre ibidem reparandi," in the *Rotuli*
Wallie for 19 Edw. I., mem. 6, dated 25th October A.D.
 1291.)

5. From the PATENT ROLL, 9 Edw. I., mem. 29.

[A.D. 1280.]

De muragio } Rex Balliuis et probis hominibus de
de Kedwely. } Kedwely, Salutem. Sciatis, quod ad
 instantiam dilecti et fidelis nostri, Patricij de Cadurcis,
 domini vestri, concessimus vobis in auxilium ville vestre
 predictae claudende, ad securitatem et tuicionem eiusdem
 ville et partium adiacentium, quod a festo Natalis Domini,
 anno regni nostri nono, usque ad finem quinque annorum
 proximo sequencium completorum, capiat is de rebus ve-
 nalibus in villam predictam venientibus, consuetudines
 subscriptas videlicet:—

De qualibet carecta carata panni, duos denarios:
 De quolibet summagio panni, unum denarium:
 De quolibet dolio vini, duos denarios:
 De qualibet carecta carata lane, quatuor denarios:
 De quolibet summagio lane, unum denarium:
 De qualibet carectata mellis, duos denarios:
 De quolibet summagio mellis, unum denarium:
 De qualibet carectata ferri, duos denarios:
 De quolibet summagio ferri, unum denarium:
 De qualibet carectata piscis marini, duos denarios.
 De quolibet summagio eiusdem piscis, unum obolum;
 De qualibet carectata bladi, unum denarium:
 De quolibet summagio bladi, vnum obolum:
 De qualibet carectata panis, vnum denarium:
 De quolibet summagio panis, vnum obolum.

XIX.

CALENDAR of GRANTS of MARKETS AND FAIRS from 1 John to 22 Edward IV.

This list is prepared from a manuscript volume now preserved in the Public Record Office (styled Palmer's Index, No. 93), and is believed to contain a complete list of all Letters Patent preserved in the Public Record Office relating to Markets and Fairs in England from the beginning of the reign of K. John to the year 22 Edward IV., including with the rest several charters of market rights in Ireland, France, and elsewhere.

Place.	County (where noted in Palmer's Index).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Baldoc -	-	M.	Cart., 1 John, p. 1, m. 34.	Burgo -	Northampton	F.	Cart., 2 John, m. 17.
Witham -	-	M.	Cart., 1 John, n. 15.	Bridlington -	York	M. F.	Cart., 2 John, m. 18.
Bristol -	-	F.	Cart., 1 John.	Bickenoure -	-	M.	Cart., 2 John, m. 21.
pirs Busig -	-	M.	Cart., 1 John, m. 32.	Havennt -	-	M.	Cart., 2 John, m. 22.
Ware -	Hertford	M.	Cart., 1 John, pt. 1, n. 181.	Portesmew -	-	M.	Cart., 2 John, m. 23.
Wulhoer -	Northumber- land.	M.	Cart., 1 John, pt. 1, n. 78.	Ramesey -	Huntingdon	M.	Cart., 2 John, m. 23.
Bernet -	Hertford	M.	Cart., 1 John, pt. 1, n. 136.	Dunham -	-	M.	Cart., 2 John, m. 24.
Sumeraham -	Huntingdon	M.	Cart., 1 John, pt. 1, m. 22.	Ramesey -	-	M.	Cart., 2 John, m. 24.
Oottingam -	York	M.	Cart., 1 John, pt. 1, n. 93.	Agmundesham -	Buckingham	F.	Cart., 2 John, m. 27.
Malovill -	-	M.	Cart., 1 John, pt. 1, n. 115, m. 19.	Brigewater -	Somerset	M. F.	Cart., 2 John, m. 27.
Chelmaforl -	Essex	M.	Cart., 1 John, pt. 1, m. 15.	Favilla -	-	F.	Cart., 2 John, m. 33.
Lamtrey -	Surrey	M. F.	Cart., 1 John, m. 4.	Kernikall -	-	F.	Cart., 2 John, m. 33.
Doncaster -	York	F.	Cart., 1 John, pt. 2, m. 1.	Waleton -	-	M.	Cart., 2 John, m. 34.
Toke -	-	F.	Cart., 1 John, pt. 2, m. 2.	Cuningbery -	-	M.	Cart., 2 John, m. 28, d.
Nlahus -	-	F.	Cart., 1 John, pt. 2, m. 2.	Barwe -	-	M. F.	Cart., 5 John, n. 6.
Kershall Her- mitage.	Lancaster	F.	Cart., 1 John, pt. 2, m. 3.	Wykes -	-	M.	Cart., 5 John, n. 46.
Bromesgrave -	Worcester	M.	Cart., 1 John, pt. 2, m. 4.	Burgo de Capet. f. Nicholas	-	F.	Cart., 5 John, m. 7.
Kinebocton -	Huntingdon	M. F.	Cart., 1 John, pt. 2, m. 4.	Paghau -	Sussex	M. F.	Cart., 5 John, n. 62.
Buttrecombe -	York	M. F.	Cart., 1 John, pt. 2, m. 4.	Wakefeld -	York	F.	Cart., 5 John, m. 10.
Cottingham -	York	F.	Cart., 1 John, pt. 2, m. 4.	Newbigging -	Northumber- land.	M. F.	Cart., 5 John, n. 101.
Wakering -	Essex	F.	Cart., 1 John, pt. 2, m. 5.	Wrdun -	-	F.	Cart., 5 John, n. 103.
Ipswich -	Suffolk	F.	Cart., 1 John, pt. 2, m. 7.	Swynecumbe -	-	F.	Cart., 5 John, n. 115.
Berkely -	Gloucester	M.	Cart., 1 John, pt. 2, m. 8.	Hekeling -	-	M.	Cart., 5 John, m. 15.
Langley -	Norfolk	M. F.	Cart., 1 John, pt. 2, m. 8.	Rowol -	Northampton	M. F.	Cart., 5 John, n. 119.
Felton -	Northumber- land.	M. F.	Cart., 1 John, pt. 2, m. 9.	Wymundham -	Norfolk	M. F.	Cart., 5 John, n. 136.
Warton -	Lancaster	M.	Cart., 1 John, pt. 2, m. 9.	Hancworth -	Norfolk	F.	Cart., 5 John, n. 153.
Morpeth -	Cumberland	M. F.	Cart., 1 John, pt. 2, m. 21.	Newport -	Essex	F.	Cart., 5 John, n. 191.
Stretw -	-	F.	Cart., 1 John, pt. 2, m. 21.	Leune -	Norfolk	F.	Cart., 5 John, n. 194.
Stratford -	-	F.	Cart., 1 John, pt. 2, m. 21.	Hurtendun -	-	M. F.	Cart., 5 John, n. 196.
Annerton -	York	F.	Cart., 1 John, pt. 2, m. 24.	Dunstaple -	Bedford	F.	Cart., 5 John, n. 200.
Hovelon -	York	F.	Cart., 1 John, pt. 2, m. 24.	Stonores in In- sula de Tanet.	Kent	M.	Cart., 5 John, m. 25.
Turkotevill -	France	M. F.	Cart., 1 John, pt. 2, m. 25.	Heford -	Dorset	M.	Cart. et Lib. rat, 5 John, m. 1.
Lambhith -	Surrey	F.	Cart., 1 John, pt. 2, m. 26.	Kenton -	Northampton	M.	Cart. et Lib., 5 John, m. 4.
Karenton -	-	F.	Cart., 1 John, pt. 2, m. 26.	St. Batolpham -	-	F.	Cart. et Lib., 5 John, m. 4.
Agon -	France	M. F.	Cart., 1 John, pt. 2, m. 27.	Eton -	Buckingham	M.	Cart. et Lib., 5 John, m. 6.
Winchester -	-	F.	Cart., 1 John, pt. 2, m. 29.	Brunfeld -	-	M.	Cart. et Lib., 5 John, m. 8.
Pemter -	Wales	F.	Cart., 2 John, m. 2.	Skipton -	York	F.	Cart. et Lib., 5 John, m. 8.
Wéndlingbrig -	Northampton	M.	Cart., 2 John, m. 6.	Hancworth -	Norfolk	F.	Cart. et Lib., 5 John, m. 9.
Agmundesham -	Bucks	M. F.	Cart., 2 John, m. 5.	Shalingford -	-	F.	Cart. et Lib., 5 John, m. 10.
Lakingheth -	Suffolk	M.	Cart., 2 John, m. 7.	Nanesby -	-	M.	Cart. et Lib., 5 John, m. 11.
Sankevill -	Normandy	M. F.	Cart., 2 John, m. 7.	Fulemere -	-	M.	Cart. et Lib., 5 John, m. 11.
Norton -	Norfolk	F.	Cart., 2 John, m. 7.	Newport -	Essex	F.	Cart. et Lib., 5 John, m. 13.
Karleton -	Norfolk	F.	Cart., 2 John, m. 7.	Chippenham -	Wilts	M. F.	Cart., 6 John, n. 33.
Grymeston -	Norfolk	F.	Cart., 2 John, m. 7.	Chesterfeld -	Derby	M. F.	Cart., 6 John, n. 86.
Chelmsford -	Essex	F.	Cart., 2 John, m. 7.	Axemynster -	Devon	M.	Cart., 6 John, n. 86.
Northflet -	Kent	F.	Cart., 2 John, m. 8.	Norton -	Oxford	F.	Cart., 6 John, n. 102.
Grymeaby -	Lincoln	F.	Cart., 2 John, m. 8.	Clune -	Salon	F.	Cart., 6 John, n. 102.
Wielon -	Gloucester	M. F.	Cart., 2 John, m. 9.	Cicestre -	Sussex	F.	Cart., 6 John, n. 109.
Pakeham -	York	F.	Cart., 2 John, m. 16.	Fukeston -	-	M.	Cart., 6 John, n. 114.
Canbury -	Cambridge	F.	Cart., 2 John, m. 16.	Soreham -	Sussex	M. F.	Pat. 6 John, m. 11.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Watindurn	-	M.	Pat., 6 John, d.	Carlton	Worcester	F.	Oblate, 2 John, m. 6.
Werch	-	M.	Cart., 7 John, m. 1.	Grimston	Worcester	F.	Oblate, 2 John, m. 6.
Orpington	Kent	M.	Cart., 7 John, m. 2.	Lakingheth	Suffolk	M.	Oblate, 3 John, m. 2.
Landivan	Wales	M. F.	Cart., 7 John, m. 5.	Shorham	Sussex	F.	Oblat, 3 John, m. 4.
Beggler	Suffolk	P.	Cart., 7 John, m. 8.	Tateshall	Lincoln	M.	Oblate, 3 John, m. 5.
Wrengel	Lincoln	M.	Cart., 7 John, m. 8.	Ertrepocle	York	M. F.	Oblate, 3 John, m. 7.
Plimton	-	M.	Cart., 7 John, m. 9.	Ledbery	Hereford	M.	Liberate, 3 John, m. 5.
Carhou	-	F.	Cart., 7 John, m. 7. d.	Wallingford	Berks	F.	Close, 6 John, m. 6.
Strodes	Kent	M.	Close, 7 John, m. 20.	Plet	Lincoln	M.	Close, 6 John, m. 9.
Brumley	-	M.	Close, 7 John, m. 20.	Gednay	Lincoln	M.	Close, 6 John, m. 9.
Ware	Hertford	M.	Pat., 8 John, m. 2.	Cast. Godricl	Hereford	M.	Close, 6 John, m. 20.
Roderham	Northumber- land.	F.	Cart., 9 John, m. 4.	Talkar	Cornwall	M.	Close, 6 John, m. 21.
Anyemue	Northumber- land.	M.	Cart., 9 John, m. 4.	Trapeston	Northampton	M.	Fines, 6 John, m. 2.
Leko	-	M.	Cart., 9 John, m. 4.	Wudstock	Oxford	M.	Fines, 6 John, m. 8.
Lawford	Suffolk	M. F.	Cart., 9 John, m. 4.	Norton	Salop	F.	Fines, 6 John, m. 13.
Warewell	-	F.	Cart., 9 John, n. 57.	Clune	Salop	F.	Fines, 6 John, m. 13.
Coleshull	Warwick	M. F.	Cart., 9 John, n. 62.	Wemme	Salop	M. F.	Fine Roll, 7 John, m. 2.
Oullinton	-	F.	Cart., 9 John, n. 67.	Northcury	Somerset	M.	Fine Roll, 7 John, m. 11.
Adumlinger	Northampton	F.	Cart., 9 John, n. 81.	Lanstaunton	-	M.	Fine Roll, 7 John, m. 12.
Moreton	Essex	F.	Cart., 9 John, n. 83.	Dertaine	Cornwall	M.	Fine Roll, 7 John, m. 16.
Harewod	York	M. F.	Cart., 10 John, n. 13.	Wilton	Hereford	M.	Close, 7 John, m. 14.
Leton	Hants	M. F.	Cart., 10 John, n. 20.	Strode	Kent	F.	Close, 7 John, m. 20.
Bradenease	Devon	M. F.	Cart., 10 John, n. 23.	Brumley	-	M.	Close, 7 John, m. 20.
Bengles	-	F.	Cart., 10 John, n. 27.	Wioleford	Somerset	M.	Close, 8 John, m. 5.
Royston	Herts	F.	Cart., 14 John, n. 23.	Briave	Gloucester	M.	Close, 9 John, m. 5.
Wiham	-	M. F.	Cart., 14 John, n. 21.	Devises	Wilts	F.	Close, 9 John, m. 6.
Bingley	York	M.	Cart., 14 John, n. 7.	Turrok	Essex	M.	Close, 9 John, m. 15.
Chesterfeld	Derby	F.	Cart., 15 John, n. 35.	Rodenham	York	F.	Fines, 9 John, m. 4, 5.
Pereton	-	M. F.	Cart., 15 John, n. 8.	Avenomul	-	M.	Fines, 9 John, m. 5.
Brie	-	M.	Pat., 15 John, pt. 1, m. 10.	Wudstok	Oxford	M.	Fines, 9 John, m. 8.
Estrindham	Suffolk	F.	Pat., 16 John, pt. 2, duplicate, m. 7.	Stratton	-	F.	Fines, 9 John, m. 10.
Suttonger	-	M.	Cart., 16 John, pt. 1, m. 3.	Rowell	Northampton	M.	Fines, 9 John, m. 12.
Necton	Lincoln	M.	Cart., 16 John, pt. 1, m. 233.	Bingell	York	M.	Close, 14 John, m. 9.
Lutterworth	Leicester	M.	Cart., 16 John, pt. 1, m. 283.	Exon	Devon	M.	Close, 15 John, m. 3.
Bradle	Lincoln	F.	Cart., 16 John, pt. 1, m. 4.	Batr.	York	F.	Fines, 15 John, duplicate, m. 3 & 6.
Novum Burgum	-	M.	Cart., 16 John, pt. 1, m. 2.	Howarowell	Oxford	F.	Close, 16 John, m. 5.
Hothredbir	Wilts	M. F.	Cart., 16 John, pt. 1, m. 4.	Bath and Glaston.	Somerset	M. F.	Close, 16 John, m. 5.
Stafford	Stafford	F.	Cart., 16 John, pt. 1, m. 7.	Kerton	Hants	M.	Close, 16 John, m. 7.
Lutterworth	Leices'er	M.	Cart., 16 John, pt. 1, m. 7.	Hechtredbury	Wilts	M.	Close, 16 John, m. 9.
Norton	Lincoln	M.	Cart., 16 John, pt. 1, m. 7.	Barton	Westmoreland	M.	Close, 16 John, m. 19.
Barton	Westmoreland	M. F.	Cart., 16 John, pt. 1, n. 43.	Dublin, Men of	Ireland	F.	Close, 16 John, m. 20.
Priestone	Kent	M. F.	Cart., 16 John, pt. 1, n. 41.	Fernham	Surrey	M.	Close, 17 John, m. 14.
Stinturg	-	M.	Cart., 16 John, pt. 1, m. 7.	Winchelsey	Kent	F.	Close, 17 John, m. 16.
Irenham	Lincoln	M.	Cart., 16 John, pt. 1, m. 7.	Scanburne	Hants	M.	Close, 17 John, m. 23.
Chesterfeld	Derby	F.	Cart., 17 John, pt. 1, n. 26.	Bere	Dorset	M.	Close, 17 John, m. 21.
Axamynstre	Devon	M.	Cart., 17 John, pt. 1, m. 4.	Newbery	Berks	F.	Close, 17 John, m. 23.
Neubery	Berks	F.	Cart., 17 John, pt. 1, m. 5.	Zinciac	Ireland	F.	Close, 17 John, m. 23.
Dublin	Ireland	F.	Cart., 17 John, pt. 1, m. 9.	Hertipole	Durham	F. M.	Close, 17 John, m. 21.
Wendour	-	M.	Close, 18 John, duplicate, m. 4.	Castle Richard	Salop	M. F.	Close, 18 John, m. 5.
Castle Richard	Salop	M. F.	Close, 18 John, m. 5.	Wiltun	-	M.	Fine, 2 Hen. 3, m. 2. Vide m. 3. W. Cockam, pro falsis Cartis, etc.
Bunge	Suffolk	F.	Oblate, 1 John, m. 1.	Henton	Berks	M.	Close, 2 Hen. 3, m. 2.
Doncaster	York	F.	Oblate, 1 John, m. 1.	Badeking	-	M.	Close, 2 Hen. 3, m. 2.
Channebolton	-	M. F.	Oblate, 1 John, m. 1.	Bacham	Sussex	M.	Close, 2 Hen. 3, m. 2.
Morpeth	Northumber- land.	M. F.	Oblate, 1 John, m. 6.	Yates	Gloucester	M.	Close, 2 Hen. 3, m. 2.
Wintringham	Suffolk	M.	Oblate, 1 John, m. 11.	Kene Lerton	Gloucester	M.	Close, 2 Hen. 3, m. 2.
Bridlington	-	M. F.	Oblate, 2 John, m. 19.	Mohir	Devon	M.	Close, 2 Hen. 3, m.
Cambridge	Cambridge	F.	Oblate, 2 John, m. 15.	Ware	-	M.	Close, 2 Hen. 3, m. 2.
Brugys	Westmoreland	M. F.	Oblate, 2 John, m. 9.	Blandford	-	M.	Close, 2 Hen. 3, m. 2.
Northflete	Kent	F.	Oblate, 2 John, m. 6.	Wimburn	-	M.	Close, 2 Hen. 3, m. 2.
Norton	Worcester	F.	Oblate, 2 John, m. 6.				

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Ciere -	Hants -	M.	Close, 2 Hen. 3, m. 3.	Kinton -	Warwick -	M.	Close, 4 Hen. 3, m. 4.
Ohidelamiton -	Devon -	M.	Close, 2 Hen. 3, m. 3.	Dekinges -	Lincoln -	M.	Close, 4 Hen. 3, m. 6.
Normanton -	- -	M.	Close, 2 Hen. 3, m. 3.	Budeford -	Warwick -	M.	Close, 4 Hen. 3, m. 9, 11.
Wallingford -	Berks -	M.	Close, 2 Hen. 3, m. 3.	Mildenhall -	Hants -	M. F.	Close, 4 Hen. 3, m. 10.
Edlingburv -	Oxford -	M.	Close, 2 Hen. 3, m. 3.	Beteleg -	- -	F. M.	Close, 4 Hen. 3, m. 10.
Brinkelaw -	Warwick -	M.	Close, 2 Hen. 3, m. 3.	Ripele -	Surrey -	F.	Close, 4 Hen. 3, m. 14.
Ohedelinton -	Devon -	M.	Close, 2 Hen. 3, m. 5.	Porcester -	Hants -	M.	Close, 4 Hen. 3, m. 14.
Campden -	- -	F.	Close, 2 Hen. 3, m. 5.	Norburg -	Leicester -	M.	Close, 4 Hen. 3, m. 15.
Tacheham -	- -	M.	Close, 2 Hen. 3, m. 9.	Rawell -	Northampton -	M.	Close, 4 Hen. 3, m. 18.
Lemenister -	- -	M.	Close, 2 Hen. 3, m. 5.	Waltham -	- -	M.	Close, 4 Hen. 3, m. 15.
Bracee -	- -	M.	Close, 2 Hen. 3, m. 5.	Lith -	York -	F. M.	Fines, 4 Hen. 3, m. 2.
Ferendon -	- -	M.	Close, 2 Hen. 3, m. 5.	Uphaven -	Lincoln -	M.	Fines, 4 Hen. 3, m. 2.
Spene -	- -	M.	Close, 2 Hen. 3, m. 5.	Hatherleghe -	Devon -	M. F.	Fines, 4 Hen. 3, m. 2.
Roe -	Hereford -	M.	Close, 2 Hen. 3, m. 2.	Huneton -	- -	F.	Fines, 4 Hen. 3, m. 2.
Bromyard -	Hereford -	F.	Close, 2 Hen. 3, m. 2.	Okeneutone -	- -	M.	Fines, 4 Hen. 3, m. 3.
Wiltun -	York -	M.	Close, 2 Hen. 3, m. 2.	Angre -	Essex -	F.	Fines, 4 Hen. 3, m. 3.
Botolf -	- -	F.	Pat., 2 Hen. 3, pt. 1, m. 3.	Hales -	Salop -	M. F.	Fines, 4 Hen. 3, m. 3.
Lenn -	- -	F.	Pat., 2 Hen. 3, pt. 2, m. 1.	Raculf -	Sussex -	M.	Fines, 4 Hen. 3, m. 3.
Wergrove -	- -	M.	Close, 2 Hen. 3, m. 5.	Walleall -	Stafford -	M. F.	Fines, 4 Hen. 3, m. 4.
Crandun -	- -	M.	Close, 2 Hen. 3, m. 5.	Alingflet -	York -	M.	Fines, 4 Hen. 3, m. 4.
Overton -	- -	M.	Close, 2 Hen. 3, m. 6.	Wardun -	Northampton -	M.	Fines, 4 Hen. 3, m. 5.
Berkhamsted -	- -	M.	Close, 2 Hen. 3, m. 6.	Ternemue -	Devon -	M.	Fines, 4 Hen. 3, m. 5.
Wigorn -	- -	F.	Close, 2 Hen. 3, m. 9.	Esseleghe -	Stafford -	M.	Fines, 4 Hen. 3, m. 5.
Westraane -	Lincoln -	M.	Close, 3 Hen. 3, m. 4.	Chiristonwe -	Devon -	M.	Fines, 4 Hen. 3, m. 5.
Rasne -	Lincoln -	M.	Close, 3 Hen. 3, m. 4.	Kingesburgh -	Devon -	M.	Fines, 4 Hen. 3, m. 5.
Wimborne -	- -	M.	Close, 3 Hen. 3, m. 6.	Deping -	Lincoln -	M.	Fines, 4 Hen. 3, m. 6.
Torkesey -	Lincoln -	M.	Close, 3 Hen. 3, m. 7.	Redgrave -	Suffolk -	M. F.	Fines, 4 Hen. 3, m. 6.
Kemesing -	Kent -	M.	Close, 3 Hen. 3, m. 7.	Mildenhall -	- -	M. F.	Fines, 4 Hen. 3, m. 6.
Melkesham -	Wilts -	M.	Close, 3 Hen. 3, m. 7.	Brinford -	Wilts -	M. F.	Fines, 4 Hen. 3, m. 6.
Black Torrilton -	Devon -	M.	Close, 3 Hen. 3, m. 7.	Normules -	Lancaster -	M. F.	Fines, 4 Hen. 3, m. 6.
Hanleg -	- -	M.	Close, 3 Hen. 3, m. 9.	Northleche -	Gloucester -	M. F.	Fines, 4 Hen. 3, m. 9.
Knoll -	Wilts -	M.	Close, 3 Hen. 3, m. 10.	Huckfeld -	Sussex -	M.	Fines, 4 Hen. 3, m. 3.
Cardestok -	Wilts -	M.	Close, 3 Hen. 3, m. 10.	Witinton -	- -	M. F.	Fines, 4 Hen. 3, m. 9.
Persor -	Gloucester -	M.	Close, 3 Hen. 3, m. 10.	Serres -	Kent -	M.	Fines, 4 Hen. 3, m. 8.
Witham -	Essex -	M.	Close, 3 Hen. 3, m. 10.	Berden -	- -	F.	Close, 6 Hen. 3, m.
Badelkinge -	Berks -	M.	Close, 3 Hen. 3, m. 12.	Cumbermartyn -	Devon -	F.	Close, 6 Hen. 3, m.
Lilborne -	Worcester -	M.	Close, 3 Hen. 3, m. 12.	Ikelington -	- -	M.	Close, 6 Hen. 3, m.
Hatfield -	Essex -	M.	Close, 3 Hen. 3, m. 14.	Sabricheworth -	- -	M.	Close, 6 Hen. 3, m.
Staines -	Middlesex -	M.	Close, 3 Hen. 3, m. 14.	Dymmoc -	- -	M. F.	Close, 6 Hen. 3, m.
St. Osithe -	- -	M.	Close, 3 Hen. 3, m. 14.	Sutton -	- -	F.	Close, 6 Hen. 3, m.
Tacheham -	Berks -	M.	Close, 2 Hen. 3, m. 9.	Debeharn -	- -	M. F.	Close, 6 Hen. 3, m. 9.
Lemenister -	Gloucester -	M.	Close, 2 Hen. 3, m. 9.	Wragoy -	- -	M.	Close, 6 Hen. 3, m. 12.
Bracee -	Northampton -	M.	Close, 2 Hen. 3, m. 9.	Ongar -	- -	F.	Close, 6 Hen. 3, m. 12.
Farendon -	Berks -	M.	Close, 2 Hen. 3, m. 9.	Tacham -	- -	F.	Close, 6 Hen. 3, m. 16, in alio
Spene -	Berks -	M.	Close, 2 Hen. 3, m. 9.	Ferendon -	- -	F.	Rot., m. 14.
Sturminster -	Dorset -	F.	Close, 2 Hen. 3, m. 10.	Averberg -	- -	M.	Close, 6 Hen. 3, m. 16.
Coventry -	- -	F.	Close, 2 Hen. 3, m. 11.	Cokermuth -	- -	M.	Close, 6 Hen. 3, m. 16.
Wanting -	Berks -	F.	Close, 1 Hen. 3, m. 3, 12.	Hales -	- -	M. F.	Close, 6 Hen. 3, m. 16.
Witell -	- -	F.	Close, 3 Hen. 3, m. 1.	Hereford -	- -	F.	Fines, 6 Hen. 3, m. 16.
Lamburne -	Berks -	F.	Fines, 3 Hen. 3, m. 1.	Manchester -	- -	F.	Fines, 6 Hen. 3, m. 16.
Northburge -	Leicester -	M.	Fines, 3 Hen. 3, m. 1.	St. Germyn -	- -	M.	Fines, 6 Hen. 3, m. 16.
Bovey -	Devon -	M.	Fines, 3 Hen. 3, m. 1.	Langham -	- -	M.	Fines, 6 Hen. 3, m. 16.
Esseby -	Leicester -	M. F.	Fines, 3 Hen. 3, m. 1.	Bruntun -	- -	M.	Fines, 6 Hen. 3, m. 8.
Waltham -	- -	M. F.	Fines, 3 Hen. 3, m. 1.	Wahull -	- -	M.	Fines, 6 Hen. 3, m. 8.
Westraane -	Lincoln -	M.	Fines, 3 Hen. 3, m. 3.	Hicche -	- -	F.	Fines, 6 Hen. 3, m. 8.
Amvill -	Bedford -	M.	Fines, 3 Hen. 3, m. 9.	Hildealey -	- -	M.	Fines, 6 Hen. 3, m. 6.
Bammesbery -	Wilts -	M.	Fines, 3 Hen. 3, m. 9.	Rokingsnam -	- -	F.	Close, 7 Hen. 3, m. 6.
Old Sarum -	- -	M.	Fines, 3 Hen. 3, m. 9.	Siltrell -	- -	M. F.	Close, 7 Hen. 3, m. 6.
Wotton -	- -	M.	Fines, 3 Hen. 3, m. 9.	Estbanca -	- -	F.	Close, 7 Hen. 3, m. 3.
Perdestockes -	Dorset -	M.	Fines, 3 Hen. 3, m. 7.	Spath -	- -	M.	Close, 7 Hen. 3, m. 3.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Durles		F.	Close, 7 Hen. 3, m. 7.	Sutton	Kent	F.	Close, 6 Hen. 3, m. 5.
Wragly		M.	Close, 7 Hen. 3, m. 10.	Iklington		M.	Close, 6 Hen. 3, m. 5.
Lincoln		M.	Close, 7 Hen. 3, m. 10.	Sabrichworth	Herts	M.	Close, 6 Hen. 3, m. 2.
Robery		M.	Close, 7 Hen. 3, m. 10.	Cumbmartin	Devon	F.	Close, 6 Hen. 3, m. 3.
Sabrichworth		M.	Close, 7 Hen. 3, m. 14.	Cruchampton		M.	Fines, 7 Hen. 3, m. 3.
Devises		F.	Close, 7 Hen. 3, m. 14.	Halesworth		M.	Fines, 7 Hen. 3, m. 3.
Malmesbury		M.	Close, 7 Hen. 3, m. 16.	Newmarket		F.	Fines, 7 Hen. 3, m. 3.
Tapleton		M.	Close, 7 Hen. 3, m. 16.	Burnanthorp		F.	Fines, 7 Hen. 3, m. 3.
Kibworth		M.	Close, 7 Hen. 3, m. 16.	Chitham		M. F.	Fines, 7 Hen. 3, m. 3.
Shirburn		M.	Close, 7 Hen. 3, m. 17.	Hegtredebiry		M.	Fines, 7 Hen. 3, m. 8.
Patrinton		M.	Close, 7 Hen. 3, m. 17.	Westun		M.	Fines, 7 Hen. 3, m. 8.
Ottele		F.	Close, 7 Hen. 3, m. 17.	Holgod Castrum.		M.	Fines, 7 Hen. 3, m. 10.
Herdildesham		F.	Close, 7 Hen. 3, m. 17.	Charuton	Hants	M.	Close, 8 Hen. 3, m. 2.
De Pecco		M.	Close, 7 Hen. 3, m. 12.	Wenlok		M.	Close, 8 Hen. 3, m. 4.
Salisbury		M.	Close, 7 Hen. 3, m. 12.	Stokell		F.	Close, 8 Hen. 3, m. 6.
Welford		M.	Close, 7 Hen. 3, m. 19, 29.	Werre		M.	Close, 8 Hen. 3, m. 12.
Warhull	Mercata prohibentur		Close, 7 Hen. 3, m. <i>ibid.</i>	Sypton		M.	Close, 8 Hen. 3, m. 12.
Sabrichworth				Falewest		M.	Close, 8 Hen. 3, m. 12.
Dunster et Wachet.		M.	Close, 7 Hen. 3, m. 23.	New Salisbury		M.	Close, 8 Hen. 3, m. 12.
Sarum		M.	Close, 7 Hen. 3, m. 23.	Ely		M.	Close, 8 Hen. 3, m. 19.
Durecourt		M.	Close, 7 Hen. 3, m. 23.	Bromhull		F.	Close, 8 Hen. 3, m. 19.
Saleby		M.	Close, 7 Hen. 3, m. 27.	Spafford		M.	Close, 8 Hen. 3, m. 19.
Wulneberg		F.	Close, 5 Hen. 3, m. 27.	Bosworth		M.	Close, 8 Hen. 3, m. 21.
Certeleg		M. F.	Close, 5 Hen. 3, m. 27.	Halfned		M.	Close, 8 Hen. 3, m. 24.
Shalingford	Berks	F.	Close, 5 Hen. 3, m. 3.	Muntgumery		F.	Close, 8 Hen. 3, m. 24.
Brigwater	Somerset	M.	Close, 5 Hen. 3, m. 3.	Strafford		F.	Fines, 8 Hen. 3, m. 1.
Ekehall	Warwick	M.	Close, 5 Hen. 3, m. 3.	Blockell		F.	Fines, 8 Hen. 3, m. 1.
Briwud		M.	Close, 5 Hen. 3, m. 3.	Almchecheroh		M.	Fines, 8 Hen. 3, m. 1.
Salisbury	Wilts	F.	Close, 5 Hen. 3, m. 3.	Nudford		F.	Fines, 8 Hen. 3, m. 3.
Kinefare	Stafford	M.	Close, 5 Hen. 3, m. 6.	Lostwithiel		M. F.	Fines, 8 Hen. 3, m. 4.
Nauenby	Lincoln	M. F.	Close, 5 Hen. 3, m. 6.	Bromholme		M.	Close, 9 Hen. 3, m. 2.
Haule	Warwick	M. F.	Close, 5 Hen. 3, m. 6.	Culing		F.	Close, 9 Hen. 3, m. 3.
Ellesmere	Salop	M.	Close, 5 Hen. 3, m. 6.	Theyden		F. M.	Close, 9 Hen. 3, m. 3.
Thorent in Tyndale		M.	Close, 5 Hen. 3, m. 7.	Wilton		F. M.	Close, 9 Hen. 3, m. 5.
Wraggeby	Lincoln	M.	Close, 5 Hen. 3, m. 7.	Clumel		F.	Close, 9 Hen. 3, m. 7.
Stockbrug		F.	Close, 5 Hen. 3, m. 8.	Senebod		M.	Close, 9 Hen. 3, m. 9.
Rammesden	Essex	M.	Close, 5 Hen. 3, m. 8.	Salmanstowe		F.	Close, 9 Hen. 3, m. 10.
Cokermue	Cumberland	M.	Close, 5 Hen. 3, m. 10.	Ardeslegh		M. F.	Close, 9 Hen. 3, m. 12.
Thurrok	Essex	M.	Close, 5 Hen. 3, m. 10.	Ivingbo		F.	Close, 9 Hen. 3, m. 12.
Fothoppe	Hereford	M. F.	Close, 5 Hen. 3, m. 10.	Muntgaret		M.	Close, 9 Hen. 3, m. 16.
Debeham	Suffolk	M.	Close, 5 Hen. 3, m. 11.	Mudgumer		M.	Close, 9 Hen. 3, m. 16.
Berton	Hants	M.	Close, 5 Hen. 3, m. 11.	Porcestr.		M.	Close, 9 Hen. 3, m. 18.
Wulnberg	Devon	M.	Close, 5 Hen. 3, m. 12.	Pons Roberti		M. F.	Close, 9 Hen. 3, m. 21, 22.
Plimpton	Devon	F.	Close, 5 Hen. 3, m. 12.	Swinestre Capella.		F.	Close, 9 Hen. 3, m. 22.
Wilcot	Wilts	M.	Close, 5 Hen. 3, m. 14.	Hunstanstane		M.	Close, 9 Hen. 3, m. 23.
Luteburg	Leicester	F. M.	Close, 5 Hen. 3, m. 16.	Winburn		M. F.	Close, 9 Hen. 3, m. 27.
Fyfle	York	M.	Close, 5 Hen. 3, m. 16.	Gullford Eccles		F.	Fines, 9 Hen. 3, m. 1.
Bisherster	Kent	M.	Close, 5 Hen. 3, m. 18.	Ardesleg		M.	Fines, 9 Hen. 3, m. 4.
Waletun	Lancaster	M. F.	Close, 5 Hen. 3, m. 6.	Wikes		F.	Fines, 9 Hen. 3, m. 6.
Tuwand	Suffolk	M. F.	Fines, 5 Hen. 3, m. 4.	Berking		F.	Close, 10 Hen. 3, m. 2.
Newton	Dorset	M.	Fines, 5 Hen. 3, m. 4.	Bruges		F.	Close, 10 Hen. 3, m. 6.
Bromlegh	Stafford	M. F.	Fines, 5 Hen. 3, m. 4.	Neuenton	Gloucester	F.	Close, 10 Hen. 3, m. 8.
Wyke		M.	Fines, 5 Hen. 3, m. 6.	Cueya	Lincoln	M. F.	Close, 10 Hen. 3, m. 8.
Herlawe		F.	Fines, 5 Hen. 3, m. 9.	Poplesford	Devon	M.	Close, 10 Hen. 3, m. 8.
Buttun		M.	Fines, 5 Hen. 3, m. 9.	Hereford	Hereford	F.	Close, 10 Hen. 3, m. 8.
Boing		M.	Fines, 5 Hen. 3, m. 9.	Bolestoure	Nottingham	M.	Close, 10 Hen. 3, m. 9.
Boisars		M.	Fines, 5 Hen. 3, m. 9.	Burne	Kent	F.	Close, 10 Hen. 3, m. 9.
Baingwalde		M.	Fines, 5 Hen. 3, m. 6.	Westmell		M. F.	Close, 10 Hen. 3, m. 9.
Winebergh			Fines, 5 Hen. 3, m. 10.	Nas		F.	Close, 10 Hen. 3, m. 10.
Debenham		M. F.	Close, 6 Hen. 3, m. 9.	Feries	Ireland	M. F.	Close, 10 Hen. 3, m. 10.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Iscory	Ireland	M. F.	Close, 10 Hen. 3, m. 10.	Manchester	-	F.	Close, 11 Hen. 3, m. 4.
Clebury	Salop	F.	Close, 10 Hen. 3, m. 10.	Swyneshed	-	F.	Close, 11 Hen. 3, m. 4.
Addere	Ireland	F.	Close, 10 Hen. 3, m. 11.	Rotour	-	F.	Close, 11 Hen. 3, m. 5.
Anys	Ireland	F.	Close, 10 Hen. 3, m. 11.	Nobir	-	F.	Close, 11 Hen. 3, m. 5.
Kensal	Ireland	M.	Close, 10 Hen. 3, m. 11.	Westraia	-	M.	Close, 11 Hen. 3, m. 5.
Typerary	Ireland	F.	Close, 10 Hen. 3, m. 11.	Manesfield	-	M.	Close, 11 Hen. 3, m. 6.
Buyny	Ireland	M.	Close, 10 Hen. 3, m. 12.	Fobbing	-	M. F.	Fines, 11 Hen. 3, m. 4.
Clumore	Ireland	M.	Close, 10 Hen. 3, m. 12.	Estwesterham	-	M.	Fines, 11 Hen. 3, m. 4.
Dundalk	Ireland	F.	Close, 10 Hen. 3, m. 12.	Sutbrain	-	F.	Close, 11 Hen. 3, m. 6.
Admolenger	Ireland	F.	Close, 10 Hen. 3, m. 12.	Culing	-	F.	Close, 11 Hen. 3, m. 7.
Salisbury	-	F.	Close, 10 Hen. 3, m. 12.	Cumthwell	-	F.	Close, 11 Hen. 3, m. 7.
Bowelton	Northumberland.	M.	Close, 10 Hen. 3, m. 13.	Otery	-	M. F.	Close, 11 Hen. 3, m. 8.
Trapstone	-	F.	Close, 10 Hen. 3, m. 13.	Stradebroc	-	M.	Close, 11 Hen. 3, m. 8.
Rokeland	Sussex	M. F.	Close, 10 Hen. 3, m. 13.	Wudburge	-	M.	Close, 11 Hen. 3, m. 8.
Eton	Warwick	M.	Close, 10 Hen. 3, m. 13.	Solbir	-	M. F.	Close, 11 Hen. 3, m. 9.
Burgus	-	M.	Close, 10 Hen. 3, m. 13.	Lenhall	-	M. F.	Close, 11 Hen. 3, m. 9.
Sutherton	Suffolk	M.	Close, 10 Hen. 3, m. 13.	Ars Boys	-	M. F.	Close, 11 Hen. 3, m. 9.
Sumertune	-	M. F.	Close, 10 Hen. 3, m. 15.	Telneleg	-	M. F.	Close, 11 Hen. 3, m. 8.
Saleby	-	F.	Close, 10 Hen. 3, m. 15.	Lingercroft	-	F.	Close, 11 Hen. 3, m. 10.
Hertford	-	F.	Close, 10 Hen. 3, m. 16, 17.	Otteley	-	M. F.	Close, 11 Hen. 3, m. 10.
Preston	Sussex	M. F.	Close, 10 Hen. 3, m. 16.	Shireburne	-	M. F.	Close, 11 Hen. 3, m. 10.
Hatfield	-	M. F.	Close, 10 Hen. 3, m. 17.	Paterinton	-	M.	Close, 11 Hen. 3, m. 10.
Barking	-	M.	Close, 10 Hen. 3, m. 18.	Bromleg	-	M. F.	Close, 11 Hen. 3, m. 10.
Heminehaule	-	M.	Close, 10 Hen. 3, m. 19.	Bettelegh	-	M. F.	Close, 11 Hen. 3, m. 11.
Baldoc	-	F.	Close, 10 Hen. 3, m. 19.	Lidiford	-	M.	Close, 11 Hen. 3, m. 11.
Attleburgh	-	M. F.	Close, 10 Hen. 3, m. 20.	Wardon	-	M. prohib.	Close, 11 Hen. 3, m. 11.
Keninghale	-	F.	Close, 10 Hen. 3, m. 20.	Rudham	-	F.	Close, 11 Hen. 3, m. 12.
Newmarket	-	F.	Close, 10 Hen. 3, m. 20.	Selfeghe	-	M.	Close, 11 Hen. 3, m. 12.
Jackell	-	F.	Close, 10 Hen. 3, m. 20.	Jackell	-	F.	Close, 11 Hen. 3, m. 12.
Chipenham	-	M.	Close, 10 Hen. 3, m. 20.	Lucteburg	-	M. F.	Close, 11 Hen. 3, m. 12.
Sci. Edmundi.	-	F.	Close, 10 Hen. 3, m. 0.	Wicheberoghe	-	F.	Close, 11 Hen. 3, m. 12, 14.
Merton	-	M.	Close, 10 Hen. 3, m. 20.	Northleg	-	M. F.	Close, 11 Hen. 3, m. 12.
St. Olavus	-	F.	Close, 10 Hen. 3, m. 20.	St. Ive.	-	M.	Close, 11 Hen. 3, m. 13.
Kismanhawe	-	F.	Close, 10 Hen. 3, m. 20.	Deneham	-	M. F.	Close, 11 Hen. 3, m. 13.
Bromholme	-	F.	Close, 10 Hen. 3, m. 20.	Thurok	-	M.	Close, 11 Hen. 3, m. 13.
Seineleg	-	M.	Close, 10 Hen. 3, m. 20.	Redgrave	-	M. F.	Close, 11 Hen. 3, m. 13.
Walsingham	Norfolk	M. F.	Close, 10 Hen. 3, m. 20.	Sudwalde	-	M. F.	Close, 11 Hen. 3, m. 13.
Bunham	-	M. F.	Close, 10 Hen. 3, m. 20.	Hetheridberye	-	M.	Close, 11 Hen. 3, m. 14.
Clebury	-	F.	Close, 10 Hen. 3, m. 21.	Hereford	-	F.	Close, 11 Hen. 3, m. 14.
Persore	-	F.	Close, 10 Hen. 3, m. 21.	Gedenay	-	M.	Close, 11 Hen. 3, m. 15.
Chiltham	-	M. F.	Pat., 10 Hen. 3, m. 2.	Jvengo	-	F.	Close, 11 Hen. 3, m. 16.
Ringwode	-	M.	Close, 10 Hen. 3, m. 23.	Waleford	-	M. F.	Close, 11 Hen. 3, m. 16.
Lingerscroft	-	F.	Close, 10 Hen. 3, m. 22.	Newmarket	-	F.	Close, 11 Hen. 3, m. 17.
Lapfield	-	M.	Liberate, 10 Hen. 3, m. 1.	Wekinge	-	M.	Close, 11 Hen. 3, m. 17.
Dublin	-	F.	Close, 10 Hen. 3, m. 22.	Ammeesbery	-	M.	Close, 11 Hen. 3, m. 17.
St. Keymno	-	M.	Close, 10 Hen. 3, m. 22.	Wraggeby	-	M.	Close, 11 Hen. 3, m. 17.
Serres	Kent	M.	Liberate, 10 Hen. 3, m. 2.	Wenlock	-	M. F.	Close, 11 Hen. 3, m. 18.
Branketre	Essex	F.	Close, 10 Hen. 3, m. 26.	Coventry	-	F.	Close, 11 Hen. 3, m.
Stradbroc	Suffolk	M.	Liberate, 10 Hen. 3, m.	Suham	-	M.	Close, 11 Hen. 3, m. 19.
Prestined	Hereford	M. F.	Fines, 10 Hen. 3, m. 8.	Persore	-	F.	Close, 11 Hen. 3, m. 20.
Kirkoby	-	F. M.	Close, 11 Hen. 3, m. 3.	Merton	-	M.	Close, 11 Hen. 3, m. 22.
Cokermue	-	M.	Close, 11 Hen. 3, m. 3.	Witelesham	-	M.	Close, 11 Hen. 3, m. 22.
Humersfeld	-	M. F.	Close, 11 Hen. 3, m. 3.	Snellsham	-	M.	Close, 11 Hen. 3, m. 23.
Langham	-	M.	Close, 11 Hen. 3, m. 3.	Morton	-	M.	Close, 11 Hen. 3, m. 2.
Bretford	-	M.	Close, 11 Hen. 3, m. 4.	Hachetune	-	F.	Close, 11 Hen. 3, m. 26.
Brandon	-	-	Close, 11 Hen. 3, m. 4.	Mannesfeld	-	M.	Fines, 11 Hen. 3, m. 4.
Chippingham- burne.	-	F.	Close, 11 Hen. 3, m. 4.	Boys Ars	-	M. F.	Fines, 11 Hen. 3, m. 5.
Calon	-	M.	Close, 11 Hen. 3, m. 4.	Bromlegh	-	M. F.	Fines, 11 Hen. 3, m. 6.
Glabybury	-	F.	Close, 11 Hen. 3, m. 4.	Redgrave	-	M. F.	Fines, 11 Hen. 3, m. 7.
Dunmawe	-	M. F.	Close, 11 Hen. 3, m. 4.	Suthwald	-	M. F.	Fines, 11 Hen. 3, m. 7.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Heltrideberye	-	M. F.	Fines, 11 Hen. 3, m. 7.	Torkesey	-	M.	Close, 3 Hen. 3, pt. 1, m. 6, 7 et 12.
Gedeney	-	M. F.	Fines, 11 Hen. 3, m. 8.	Kemsing	-	M.	Close, 3 Hen. 3, pt. 1, m. 7.
Tanet Insula	-	M.	Fines, 11 Hen. 3, m. 9.	Melkesham	-	M. F.	Close, 3 Hen. 3, pt. 1, m. 7, 8, or 9.
Wardune	-	M. F.	Fines, 11 Hen. 3, m. 9.	Blacktoriton	-	F.	Close, 3 Hen. 3, pt. 1, m. 9.
Pottone	-	F.	Fines, 11 Hen. 3, m. 9.	Lymminster	-	M. mutat.	Close, 3 Hen. 3, pt. 1, m. 9.
Wenlock	-	M. F.	Fines, 11 Hen. 3, m. 9.	Hanlegh	-	M. mutat.	Cart., 11 Hen. 3, pt. 1, m. 9.
Eton	-	M.	Fines, 11 Hen. 3, m. 9.	Knol	-	M. F.	Cart., 11 Hen. 3, pt. 1, m. 10.
Wallesford	-	F.	Fines, 11 Hen. 3, m. 9.	Cardstok	-	M.	Cart., 11 Hen. 3, pt. 1, m. 10.
Beaudesort	-	M. F.	Fines, 11 Hen. 3, m. 9.	Torkes	-	F. remot.	Cart., 11 Hen. 3, pt. 1, m. 11.
Persore	-	F.	Fines, 11 Hen. 3, m. 9.	Persere	-	M. mutat.	Cart., 11 Hen. 3, pt. 1, m. 11.
Dunstable	-	M.	Cart., 11 Hen. 3, pt. 1, m. 27.	Witham	-	M. mutat.	Cart., 11 Hen. 3, pt. 1, m. 12.
Sumcombe	-	F.	Cart., 11 Hen. 3, pt. 1, m. 28.	Lilburn	-	M.	Cart., 11 Hen. 3, pt. 1, m. 13.
Chedder	-	M.	Cart., 11 Hen. 3, pt. 1, m. 28.	Hatfield	-	M.	Cart., 11 Hen. 3, pt. 1, m. 14.
Withe	-	M.	Cart., 11 Hen. 3, pt. 1, m. 29.	Stanes	-	M. mutat.	Cart., 11 Hen. 3, pt. 1, m. 14.
Baldock	-	M.	Cart., 11 Hen. 3, pt. 1, m. 29, 31, 32.	St. Osithe	-	M.	Cart., 11 Hen. 3, pt. 1, m. 14.
Suham	-	M.	Cart., 11 Hen. 3, pt. 1, m. 29.	Suminster	-	M.	Cart., 11 Hen. 3, pt. 1, m. 14.
Coventre	-	F.	Cart., 11 Hen. 3, pt. 1, m. 32.	Witell	-	F.	Cart., 11 Hen. 3, pt. 1, m. 14.
Luctebury	-	M. F.	Cart., 11 Hen. 3, pt. 1, m. 34.	Lamburn	-	F.	Cart., 11 Hen. 3, pt. 1, m. 1.
Kinton	-	M.	Cart., 11 Hen. 3, pt. 1, m. 34.	Northbrug	-	M.	Cart., 11 Hen. 3, pt. 1, m. 1.
Newport	-	F.	Cart., 11 Hen. 3, pt. 2, m. 2.	Eseby	-	M. F.	Cart., 11 Hen. 3, pt. 1, m. 2.
Guilford	-	F.	Cart., 11 Hen. 3, pt. 2, m. 2.	Bouy	-	M.	Cart., 11 Hen. 3, pt. 1, m. 2.
Farendon	-	F.	Cart., 11 Hen. 3, pt. 2, m. 3.	Waltham	-	M. F.	Cart., 11 Hen. 3, pt. 1, m. 2.
Kirkeby	-	F.	Cart., 11 Hen. 3, pt. 2, m. 3.	Westrasen	-	M.	Cart., 11 Hen. 3, pt. 1, m. 3.
Chipping Lam- burn.	-	F.	Cart., 11 Hen. 3, pt. 2, m. 3.	Preston	-	F.	Cart., 11 Hen. 3, pt. 2, m. 3.
Cokermue	-	M.	Cart., 11 Hen. 3, pt. 2, m. 3.	Album Monas- terium.	-	F.	Cart., 12 Hen. 3, m. 1.
Langham	-	M.	Cart., 11 Hen. 3, pt. 2, m. 3.	Beanesburgh	-	F.	Cart., 12 Hen. 3, m. 3.
Hoxton	-	M.	Cart., 11 Hen. 3, pt. 2, m. 3.	Brickhul	-	M. F.	Cart., 12 Hen. 3, m. 4.
Humersfeld	-	F.	Cart., 11 Hen. 3, pt. 2, m. 3.	Stanes	-	F.	Cart., 12 Hen. 3, m. 9.
Bretford	-	M.	Cart., 11 Hen. 3, pt. 2, m. 4.	Morton	-	F.	Cart., 12 Hen. 3, m. 9.
Manchester	-	F.	Cart., 11 Hen. 3, pt. 2, m. 4.	Werk	-	M. F.	Cart., 12 Hen. 3, m. 12.
Dunmawe	-	M. F.	Cart., 11 Hen. 3, pt. 2, m. 4.	Waltham	-	M. F.	Cart., 12 Hen. 3, m. 13.
Crawcombe	-	M. F.	Cart., 11 Hen. 3, pt. 2, m. 5.	Incheslada	-	M.	Cart., 12 Hen. 3, m. 13.
Pobbing	-	M. F.	Cart., 11 Hen. 3, pt. 2, m. 6.	Bernevell	-	F.	Cart., 13 Hen. 3, dupl., m. 4.
Westerham	-	M. F.	Cart., 11 Hen. 3, pt. 2, m. 6.	Wycombe	-	F.	Cart., 13 Hen. 3, m. 6.
Lillechurch	-	F.	Cart., 11 Hen. 3, pt. 2, m. 7.	Moriebergh vocat.	-	F.	Cart., 13 Hen. 3, m. 12.
King's-bromp- ton.	-	M.	Cart., 22 Edw. 3, n. 1.	Neulond	-	F.	Cart., 13 Hen. 3, m. 13.
Cumbwell	-	F.	Cart., 11 Hen. 3, pt. 2, m. 9.	Bromholm	-	F.	Cart., 13 Hen. 3, m. 13.
Killum	-	M. F.	Cart., 11 Hen. 3, pt. 2, m. 9.	Camelton	-	M.	Cart., 13 Hen. 3, m. 12.
Ottery	-	M. F.	Cart., 11 Hen. 3, pt. 2, m. 9.	Leicestr	-	F.	Cart., 13 Hen. 3, m. 12.
Clere	-	F.	Cart., 11 Hen. 3, pt. 2, m. 9.	Meycolithe	-	M. F.	Cart., 13 Hen. 3, m. 12.
Stradbroo	-	M.	Cart., 11 Hen. 3, pt. 2, m. 9.	Harolueston	-	F.	Cart., 13 Hen. 3, dupl., m. 12.
Wadburg	-	M.	Cart., 11 Hen. 3, pt. 2, m. 9.	Lucteburgh	-	M. F.	Cart., 13 Hen. 3, m. 14.
Ros	-	M.	Fines, 2 Hen. 3, m. 2.	Cinhtiton	-	F.	Cart., 14 Hen. 3, pt. 1, m. 1.
Bromyard	-	F.	Fines, 2 Hen. 3, m. 2.	Sepewesce	-	M. F.	Cart., 14 Hen. 3, pt. 1, m. 1.
Willum	-	M.	Fines, 2 Hen. 3, m. 2.	Dundall	-	F.	Cart., 14 Hen. 3, pt. 1, m. 2.
Vergrave	-	M.	Close, 3 Hen. 3, pt. 1, m. 5.	Clunmor	-	M. F.	Cart., 14 Hen. 3, pt. 1, m.
Cranden	-	M.	Close, 3 Hen. 3, pt. 1, m. 5.	Brancheshey	-	M. F.	Cart., 14 Hen. 3, pt. 1, m. 3.
Omerton	-	M.	Close, 3 Hen. 3, pt. 1, m. 5.	Hornceaster	-	F.	Cart., 14 Hen. 3, pt. 1, m. 4.
Berkhamsted	-	M.	Close, 3 Hen. 3, pt. 1, m. 5.	Melburne	-	F.	Cart., 14 Hen. 3, pt. 1, m. 4.
Campden	-	F.	Close, 3 Hen. 3, pt. 1, m. 6.	Stanlake	-	M. F.	Cart., 14 Hen. 3, pt. 1, m. 4.
Wigorn	-	F.	Close, 3 Hen. 3, pt. 1, m. 6.	Staunford	-	M.	Cart., 14 Hen. 3, pt. 1, m. 5.
Tacheham	-	M.	Close, 3 Hen. 3, pt. 1, m. 9.	Wyteby	-	F.	Cart., 14 Hen. 3, pt. 1, m. 6.
Leominster	-	M. remov.	Close, 3 Hen. 3, pt. 1, m. 9.	Crawcombe	-	M. F.	Cart., 14 Hen. 3, pt. 1, m. 7.
Bruckole	-	M. amot.	Close, 3 Hen. 3, pt. 1, m. 9.	Lenton	-	F.	Cart., 14 Hen. 3, pt. 1, m. 10.
Ferendon	-	M. remov.	Close, 3 Hen. 3, pt. 1, m. 9.	Luffeld	-	F.	Cart., 14 Hen. 3, pt. 1, m. 11.
Sturminster	-	F.	Close, 3 Hen. 3, pt. 1, m. 10.	Kincton	-	M. F.	Cart., 14 Hen. 3, pt. 1, m. 13.
Coventre	-	F.	Close, 3 Hen. 3, pt. 1, m. 10.	Middleton	-	F.	Cart., 14 Hen. 3, pt. 2, m. 3.
Westrasen	-	M.	Close, 3 Hen. 3, pt. 1, m. 4.	Angr.	-	F.	Cart., 14 Hen. 3, pt. 2, m. 3.
Rason	-	M.	Close, 3 Hen. 3, pt. 1, m. 4.	Wyttnay	-	F.	Cart., 15 Hen. 3, m. 2.
Wymburn	-	M. remot.	Close, 3 Hen. 3, pt. 1, m. 6.	Wynerdeston	-	F.	Cart., 15 Hen. 3, m. 2.
				Berewic	-	M.	Cart., 15 Hen. 3, m. 7.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Cumton	-	M. F.	Cart., 15 Hen. 3, m. 8.	Penbrigg	-	M. F.	Cart., 23 Hen. 3.
Oumpton	Warwick	M. F.	Close, 15 Hen. 3, m. 13.	Aylesbiry	-	F.	Cart., 23 Hen. 3.
Button	-	M.	Close, 15 Hen. 3, m. 9.	Kenetort	-	M.	Cart., 23 Hen. 3.
Wanteford	-	F.	Close, 15 Hen. 3, m. 9.	Lohfloer	-	M.	Cart., 23 Hen. 3.
Oriditon	-	M. F.	Close, 15 Hen. 3, m. 9.	Gernard	-	M.	Cart., 23 Hen. 3.
Dertmuth	-	M. F.	Close, 15 Hen. 3, m. 9.	Kelalnny	-	M.	Cart., 23 Hen. 3.
Haleg	-	M.	Close, 15 Hen. 3, m. 9.	Stapilford	-	M. F.	Cart., 23 Hen. 3.
Bere	-	M. F.	Cart., 16 Hen. 3, m. 17.	Dalton in Furness	-	F.	Cart., 23 Hen. 3.
Bardeney	-	M.	Cart., 16 Hen. 3, m. 15.	Emelesworth	-	M. F.	Cart., 23 Hen. 3.
Albrichton	-	M. F.	Cart., 16 Hen. 3, m. 15.	Eton	-	F.	Cart., 23 Hen. 3.
Corslegh	-	M. F.	Cart., 16 Hen. 3, m. 15.	Sutham	-	M. F. mutat.	Cart., 23 Hen. 3.
Cumbwell	-	M.	Cart., 16 Hen. 3, m. 14.	Thurrok	-	M. F.	Cart., 23 Hen. 3.
Burn	-	F.	Cart., 16 Hen. 3, m. 12.	Eleford	-	M. F.	Cart., 23 Hen. 3.
Neweton in Fertilagh.	-	F.	Cart., 16 Hen. 3, m. 9.	Schirlingh	-	M. F.	Cart., 23 Hen. 3.
Lamberton	-	F.	Cart., 16 Hen. 3, m. 7.	Mendelsbol	-	M. F.	Cart., 23 Hen. 3.
Bradenstok	-	F.	Cart., 16 Hen. 3, m. 7.	Corby	-	M. F.	Cart., 23 Hen. 3.
Blackmore	-	F.	Cart., 16 Hen. 3, m. 2.	Westrasen	-	M. F.	Cart., 23 Hen. 3.
Sele	-	M. F.	Cart., 17 Hen. 3, m. 2.	Finell	-	M. F.	Cart., 24 Hen. 3.
Horsham	-	F.	Cart., 17 Hen. 3, m.	Insowena	-	F.	Cart., 24 Hen. 3.
Aufridecumbe	-	M. F.	Cart., 17 Hen. 3.	Ranmesbury	-	F. M.	Cart., 24 Hen. 3.
Brandeslegh	-	F. mutat.	Cart., 17 Hen.	Shirborn	-	F.	Cart., 24 Hen. 3.
Ethen	-	M.	Cart., 17 Hen. 3, m.	Brincklaw	-	M.	Cart., 24 Hen. 3.
Yohyll	-	M. F.	Close, 18 Hen. 3, m. 5.	Stratford	-	F.	Cart., 24 Hen. 3.
Swinescumbe	-	F.	Close, 18 Hen. 3, m. 7.	Alindechurch	-	M. F.	Cart., 24 Hen. 3.
Cauntel	Norfolk	M. F.	Close, 19 Hen. 3, m. 17.	Bocland	-	F.	Cart., 24 Hen. 3.
Bynebroc	-	M. F.	Cart., 19 Hen. 3, m. 3.	Berton	-	M. F.	Cart., 25 Hen. 3.
Bozgrave	-	F.	Cart., 19 Hen. 3, m. 3.	Hampford	-	M. F.	Cart., 25 Hen. 3.
Melleford	-	M. F.	Cart., 19 Hen. 3, m. 6.	Shorestan	-	M.	Cart., 25 Hen. 3.
Holowstowe in Berksoure.	-	F.	Cart., 19 Hen. 3, m. 9.	Were	-	M. F.	Cart., 25 Hen. 3.
Southwic	-	M. F.	Cart., 19 Hen. 3, m. 11.	Bampton	-	M. F.	Cart., 25 Hen. 3.
St. Edmond	-	2 F.	Cart., 19 Hen. 3, m. 14.	Werk	-	M. F.	Cart., 25 Hen. 3.
Rakenford	-	M. F.	Cart., 19 Hen. 3, m. 15.	Hereford	-	F.	Cart., 25 Hen. 3.
Corslegh	-	M. F.	Cart., 19 Hen. 3, m. 17.	Colton	-	M.	Cart., 25 Hen. 3.
Wyneslawe	-	M. F.	Cart., 19 Hen. 3, m. 17.	Eadwardestow	-	M.	Cart., 25 Hen. 3.
Lessehy	-	F.	Cart., 19 Hen. 3, m. 18.	Ros	-	M. F.	Cart., 25 Hen. 3.
Lerky	-	M. F.	Cart., 19 Hen. 3, m. 18.	Whitchurch	-	M.	Cart., 25 Hen. 3.
Wyncanton	-	M.	Cart., 20 Hen. 3, m. 9.	Walleford	}	M. mutat.	} Cart., 25 Hen. 3.
Glanfordbridge	-	M. F.	Cart., 20 Hen. 3, m. 9.	Werreby			
Bere	-	M. F.	Cart., 20 Hen. 3, m. 7.	Lacok	-	M.	Cart., 26 Hen. 3.
Boyston	-	F. augment.	Cart., 20 Hen. 3, m. 6.	Spalding	-	M.	Cart., 26 Hen. 3.
Marlebergh	-	F.	Cart., 20 Hen. 3, m. 4.	Amethull	-	M. F.	Cart., 26 Hen. 3.
Lindrigge	-	M.	Cart., 20 Hen. 3, m. 4.	Polleswurth	-	M. F.	Cart., 26 Hen. 3.
Tybract.	-	M. F.	Cart., 21 Hen. 3, m. 2.	Sulihull	-	M. F.	Cart., 26 Hen. 3.
Laycok	-	F.	Cart., 21 Hen. 3, m. 3.	Boyston	-	F.	Cart., 26 Hen. 3.
Baion'	-	F.	Cart., 21 Hen. 3, m. 3.	Norton	-	M.	Cart., 26 Hen. 3.
Pendrun	-	M. F.	Cart., 21 Hen. 3, m. 3.	Kilcalgan	-	M. F.	Cart., 26 Hen. 3.
Irby	-	M. F.	Cart., 21 Hen. 3, m. 3.	Chornever	-	M. F.	Cart., 26 Hen. 3.
La Pole	-	M. F.	Cart., 23 Hen. 3.	Woburn	-	M. F.	Cart., 26 Hen. 3.
Axbrugge	-	F.	Cart., 23 Hen. 3.	Berchamsted	-	F.	Cart., 26 Hen. 3.
Warsop	-	M. F.	Cart., 23 Hen. 3.	Bowes	-	M. F.	Cart., 26 Hen. 3.
Bradnesse	-	M. F.	Cart., 23 Hen. 3.	Cestrehunt	-	M. F.	Cart., 26 Hen. 3.
Ottale	-	M. F.	Cart., 23 Hen. 3.	Wahull	-	M.	Cart., 26 Hen. 3.
Shirburne	-	M. F.	Cart., 23 Hen. 3.	Ashesford	-	M. F.	Pat. et Cart., 27 et 28 Hen. 3, m. 1.
Shuwell	-	F.	Cart., 23 Hen. 3.	Gresham	-	M. F.	Pat. et Cart., 27 et 28 Hen. 3, m. 3.
Hextildesham	-	M. F.	Cart., 23 Hen. 3.	Rocham	Surrey	M. F.	Pat. & Cart., 27 & 28 Hen. 3, m. 8.
Burg' super Humbr.	-	M. F.	Cart., 23 Hen. 3.	Kinemerford	-	M. F.	Pat. & Cart., 27 & 28 Hen. 3, m. 8.
Thornbury	-	F.	Cart., 23 Hen. 3.	Geynbury	-	F.	Pat. & Cart., 27 & 28 Hen. 3, m. 8.
Herewardstok	-	M.	Cart., 23 Hen. 3.	Mursle	-	M. F.	Pat. & Cart., 27 & 28 Hen. 3, m. 21.
Wicombe	-	F.	Cart., 23 Hen. 3.	Ponte belli	-	M. F.	Pat. & Cart., 27 & 28 Hen. 3, m. 3, d.
Thayden	-	M. F.	Cart., 23 Hen. 3.	Wirmekey	-	F.	Cart., 28 Hen. 3.
Waybrugge	-	M. F.	Cart., 23 Hen. 3.				

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Stow - - -	- - -	F.	Cart., 28 Hen. 3.	Sumoncour - - -	- - -	M. F.	Cart., 31 Hen. 3.
Fleet - - -	- - -	M. F.	Cart., 28 Hen. 3.	Corfe - - -	Dorset	M. F.	Cart., 32 Hen. 3.
Blakebergh - - -	- - -	F.	Cart., 28 Hen. 3.	Wyleby - - -	- - -	M. F.	Cart., 32 Hen. 3.
Swaneseey - - -	- - -	M. F.	Cart., 28 Hen. 3.	Midsomer Norton.	- - -	F.	Cart., 32 Hen. 3.
Adnere - - -	- - -	M. F.	Cart., 28 Hen. 3.	Brayle - - -	- - -	M. F.	Cart., 32 Hen. 3.
Imelac' - - -	- - -	M. F.	Cart., 28 Hen. 3.	Wiscum - - -	- - -	M. F.	Cart., 32 Hen. 3.
Penoriz - - -	- - -	M.	Cart., 28 Hen. 3.	Whitchurch - - -	- - -	M. F.	Cart., 32 Hen. 3.
Fecham - - -	- - -	F.	Cart., 28 Hen. 3.	Weymouth } - - -	- - -	M. F.	Cart., 32 Hen. 3.
Belton - - -	- - -	M. F.	Cart., 28 Hen. 3.	Wyke - }	- - -	M. F.	Cart., 32 Hen. 3.
Willinton - - -	- - -	M. F.	Cart., 28 Hen. 3.	Shereston - - -	- - -	M. F.	Cart., 32 Hen. 3.
Stoteden - - -	- - -	M. F.	Cart., 28 Hen. 3.	Merston - - -	- - -	F.	Cart., 32 Hen. 3.
Graystok - - -	- - -	M. F.	Cart., 29 Hen. 3.	Kaus - - -	- - -	F.	Cart., 32 Hen. 3.
Trapston - - -	- - -	F.	Cart., 29 Hen. 3.	Stokeferie - - -	- - -	M. F.	Cart., 32 Hen. 3.
Brohton - - -	- - -	M. F.	Cart., 29 Hen. 3.	Watton - - -	- - -	F.	Cart., 32 Hen. 3.
Pokelington - - -	- - -	F.	Cart., 29 Hen. 3.	Caxton - - -	- - -	M.	Cart., 32 Hen. 3.
Hydeshall - - -	- - -	M. F.	Cart., 29 Hen. 3.	Alnedele - - -	- - -	M.	Cart., 32 Hen. 3.
Whitchurch - - -	- - -	M. F.	Cart., 29 Hen. 3.	Talacher - - -	- - -	F.	Cart., 32 Hen. 3.
Lednes - - -	- - -	M. F.	Cart., 29 Hen. 3.	Ledbury North - - -	- - -	M. F.	Cart., 33 Hen. 3.
Balesham - - -	- - -	M. F.	Cart., 29 Hen. 3.	Campden - - -	Gloucester	M. F.	Cart., 33 Hen. 3.
Schippedham - - -	- - -	M. F.	Cart., 29 Hen. 3.	Setel - - -	- - -	M. F.	Cart., 33 Hen. 3.
Stafford - - -	- - -	F.	Cart., 29 Hen. 3.	Oxbrug - - -	- - -	M. F.	Cart., 33 Hen. 3.
Wigan - - -	- - -	M. F.	Cart., 29 Hen. 3.	Bernesleya - - -	- - -	M. F.	Cart., 33 Hen. 3.
Edrethaston - - -	- - -	F.	Close, 30 Hen. 3.	Temetbury - - -	- - -	M. F.	Cart., 33 Hen. 3.
Meleburne - - -	- - -	M. F.	Close, 30 Hen. 3, m. 7.	Cateby - - -	- - -	F.	Cart., 33 Hen. 3.
Sarum - - -	- - -	F.	Close, 30 Hen. 3, m. 7.	Walden - - -	- - -	F.	Cart., 33 Hen. 3.
Hadlegh - - -	- - -	M.	Close, 30 Hen. 3, m. 11.	Tristedermot - - -	- - -	F.	Cart., 33 Hen. 3.
Thornury - - -	- - -	F.	Close, 30 Hen. 3, m. 11.	Werigge - - -	- - -	M. F.	Cart., 33 Hen. 3.
Peeco - - -	- - -	M.	Close, 30 Hen. 3, m. 17.	Knokyn - - -	- - -	M. F.	Cart., 33 Hen. 3.
Westm. - - -	- - -	F.	Close, 30 Hen. 3, m. 17.	Ledburn- worth. } - - -	- - -	M. F.	Cart., 33 Hen. 3.
Kirkeby - - -	- - -	M. F.	Cart., 30 Hen. 3.	Prestbury - }	- - -	M. F.	Cart., 33 Hen. 3.
Monte Acuto - - -	- - -	F.	Cart., 30 Hen. 3.	Certesey - - -	- - -	F.	Cart., 33 Hen. 3.
Dalton in Furnels.	- - -	F.	Cart., 30 Hen. 3.	Oxney - - -	- - -	F.	Cart., 33 Hen. 3.
Beretre - - -	- - -	F.	Cart., 30 Hen. 3.	Lavendon - - -	- - -	M. F.	Cart., 33 Hen. 3, m. 3.
Waneting - - -	- - -	F.	Cart., 30 Hen. 3.	Rudham - - -	- - -	F.	Cart., 33 Hen. 3, m. 3.
Linton - - -	- - -	M. F.	Cart., 30 Hen. 3.	Abberford - - -	- - -	M. F.	Cart., 33 Hen. 3, m. 3.
Marleberg - - -	- - -	F.	Cart., 30 Hen. 3.	Hoggeston - - -	- - -	F.	Cart., 33 Hen. 3, m. 3.
Maylaghan - - -	- - -	M.	Cart., 30 Hen. 3.	Hocham - - -	- - -	F.	Cart., 33 Hen. 3, m. 3.
Walesburn parva.	- - -	M. F.	Cart., 30 Hen. 3.	Cherl - - -	- - -	M. F.	Cart., 33 Hen. 3, m. 3.
Barton - - -	- - -	M. F.	Cart., 30 Hen. 3.	Oxeburg - - -	- - -	M. F.	Cart., 33 Hen. 3, m. 3.
Thornham - - -	- - -	M. F.	Cart., 30 Hen. 3.	Catesby - - -	- - -	F.	Cart., 33 Hen. 3, m. 3.
Barton super. Humbr.	- - -	F.	Cart., 30 Hen. 3.	Wrigge - - -	- - -	M. F.	Cart., 33 Hen. 3, m. 3.
Draiton - - -	- - -	M. F.	Cart., 30 Hen. 3.	Wodstok - - -	- - -	F.	Close, 34 Hen. 3, m. 5.
Kilkenny - - -	- - -	F.	Cart., 30 Hen. 3.	Melkesham - - -	- - -	M. F.	Close, 34 Hen. 3, m. 5.
Athethm - - -	- - -	M. F.	Cart., 30 Hen. 3.	Fekenham - - -	- - -	M. F.	Close, 34 Hen. 3, m. 5.
Dorevald - - -	- - -	M. F.	Cart., 30 Hen. 3.	Gannoe - - -	- - -	M. F.	Close, 34 Hen. 3, m. 6.
Tacsquinthin - - -	- - -	M. F.	Cart., 30 Hen. 3.	Brumesgrave - - -	- - -	M.	Close, 34 Hen. 3, m. 16.
Chennevor - - -	- - -	M. F.	Cart., 30 Hen. 3.	Rumford - - -	- - -	F.	Close, 34 Hen. 3, m. 16.
Burstow - - -	- - -	M. F.	Cart., 31 Hen. 3.	Rachedall - - -	- - -	M. F.	Cart., 35 Hen. 3.
Campen - - -	- - -	M. F.	Cart., 31 Hen. 3.	Hedierumbe - - -	- - -	M. F.	Cart., 35 Hen. 3.
Grenested - - -	- - -	M. F.	Cart., 31 Hen. 3.	Masseham - - -	- - -	M. F.	Cart., 35 Hen. 3.
Welles - - -	- - -	F.	Cart., 31 Hen. 3.	Bedall - - -	- - -	M. F.	Cart., 35 Hen. 3.
Martok - - -	- - -	M.	Cart., 31 Hen. 3.	Sedburg - - -	- - -	M. F.	Cart., 35 Hen. 3.
Whaddon - - -	- - -	F.	Cart., 31 Hen. 3, m. 10.	Tressell - - -	- - -	M. F.	Cart., 35 Hen. 3.
Overton - - -	- - -	M. F.	Cart., 31 Hen. 3.	Gremston - - -	- - -	M. F.	Cart., 35 Hen. 3.
Berghton - - -	- - -	M. F.	Cart., 31 Hen. 3.	Brorat - - -	- - -	M. F.	Cart., 35 Hen. 3.
Menestok - - -	- - -	M. F.	Cart., 31 Hen. 3.	Clare - - -	- - -	M. F.	Cart., 35 Hen. 3.
Croxton - - -	- - -	M. F.	Cart., 31 Hen. 3.	Cassingeland - - -	- - -	M. F.	Cart., 35 Hen. 3.
Teyngwyke - - -	Buckingham	M.	Cart., 31 Hen. 3.	Lynchelade - - -	- - -	M. F.	Cart., 35 Hen. 3.
Catieby - - -	- - -	M.	Cart., 31 Hen. 3.	Millum - - -	- - -	M. F.	Cart., 35 Hen. 3.
Edredeston - - -	- - -	M. F.	Cart., 31 Hen. 3.	Stanes - - -	- - -	M. F.	Cart., 35 Hen. 3.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Shoueldon	-	M. F.	Cart., 35 Hen. 3.	Aton	-	M. F.	Cart., 37 Hen. 3.
Brasford	-	M.	Cart., 35 Hen. 3.	Acle	-	M. F.	Cart., 37 Hen. 3.
Scyrland	-	M. F.	Cart., 35 Hen. 3.	Kildale	-	M. F.	Cart., 37 Hen. 3.
Rudham	-	F.	Cart., 35 Hen. 3.	Donynton	-	M. F.	Cart., 37 Hen. 3.
Wausingham	-	F.	Cart., 35 Hen. 3.	Illecley	-	M. F.	Cart., 37 Hen. 3.
Parva	-	M.	Cart., 35 Hen. 3.	Albo Monas-	-	F.	Cart., 37 Hen. 3.
Hune	-	M.	Cart., 35 Hen. 3.	terio.	-	F.	Cart., 37 Hen. 3.
Welowe	Lincoln	F.	Cart., 35 Hen. 3. m. 10.	Cluna	-	F.	Cart., 37 Hen. 3.
Meanton mag.	-	M. F.	Cart., 35 Hen. 3. m. 10.	Norton	-	F.	Cart., 37 Hen. 3.
Abberford	-	M. F.	Cart., 35 Hen. 3. m. 10.	Wautham	-	2 F.	Cart., 37 Hen. 3.
Eokelaund	-	M. F.	Cart., 35 Hen. 3. m. 10.	Epping	-	M. F.	Cart., 37 Hen. 3.
Tydeswell	-	M. F.	Cart., 35 Hen. 3. m. 10.	Tackle	-	M. F.	Cart., 37 Hen. 3.
Ravenstrot	-	M. F.	Cart., 35 Hen. 3. m. 10.	Hernested	-	M. F.	Cart., 37 Hen. 3.
Hampton	-	M. F.	Cart., 35 Hen. 3. m. 10.	Hankesbury	-	M. F.	Cart., 37 Hen. 3.
Eyton	-	M. F.	Cart., 35 Hen. 3. m. 10.	Norham	-	F.	Cart., 37 Hen. 3.
Welkested	-	M. F.	Cart., 35 Hen. 3. m. 10.	Keresey	-	M.	Cart., 37 Hen. 3.
Hoggeston	-	F.	Cart., 35 Hen. 3. m. 10.	Gringelay	-	M. F.	Cart., 37 Hen. 3.
Hecham	-	F.	Cart., 35 Hen. 3. m. 10.	Ayston	-	F.	Cart., 37 Hen. 3.
Cherl	-	M. F.	Cart., 35 Hen. 3. m. 10.	Braunton	-	F.	Cart., 37 Hen. 3.
Wiscum	-	M. F.	Cart., 35 Hen. 3. m. 10.	Holbech	-	M. F.	Cart., 37 Hen. 3.
Whitchurch	-	M. F.	Cart., 35 Hen. 3. m. 10.	Cyrencestre	-	F.	Pat., 10 Hen. 4. pt. 1. m. 25.
Weymuth	Dorset	M. F.	Cart., 35 Hen. 3. m. 10.	Feckenham	Worcester	M.	Close, 37 Hen. 3. m. 16.
Welleford	-	M. F.	Cart., 36 Hen. 3.	Strettondale	Salop	M.	Close, 37 Hen. 3. m. 17.
Popeshall	-	M. F.	Cart., 36 Hen. 3.	Preston Canon-	-	M. F.	Cart., 37 Hen. 3. m. 17.
Wutton	-	M. F.	Cart., 36 Hen. 3.	icorum.	-	M. F.	Cart., 37 Hen. 3. m. 17.
Mammesbiry	-	M.	Cart., 36 Hen. 6.	Newent	-	M. F.	Cart., 37 Hen. 3. m. 17.
Albomonaster	-	F.	Cart., 36 Hen. 6.	Elmested	-	M. F.	Cart., 37 Hen. 3. m. 17.
Shorstan	-	F.	Cart., 36 Hen. 3.	Estwyk	-	M. F.	Cart., 37 Hen. 3. m. 17.
Haylesham	-	M.	Cart., 36 Hen. 3.	Petrescre	-	M. F.	Cart., 37 Hen. 3. m. 17.
Alureton	-	M. F.	Cart., 36 Hen. 3.	Teingnemuth	-	M. F.	Cart., 37 Hen. 3. m. 17.
Westbyre	-	M. F.	Cart., 36 Hen. 3.	Wyke	-	M. F.	Cart., 37 Hen. 3. m. 17.
Watlington	-	M.	Cart., 36 Hen. 3.	Corney	-	M. F.	Cart., 37 Hen. 3.
Chelebir	-	F.	Cart., 36 Hen. 3.	Chatton	-	M. F.	Cart., 37 Hen. 3.
Ocham	-	M & 2 F.	Cart., 36 Hen. 3.	Alnemuthe	-	M. F.	Cart., 37 Hen. 3.
Luford	-	M. F.	Cart., 36 Hen. 3.	Brumpton	-	M. F.	Cart., 37 Hen. 3.
Jrneham	-	M. F.	Cart., 36 Hen. 3.	Claitorp	-	M. F.	Cart., 37 Hen. 3.
Toppefeud	-	M. F.	Cart., 36 Hen. 3.	Buidiford	-	M. F.	Cart., 37 Hen. 3.
Dublyn	-	F.	Cart., 36 Hen. 3.	Burghsted mag.	-	M. F.	Cart., 37 Hen. 3.
Graneby	-	M. F.	Cart., 36 Hen. 3.	Herewyke	-	M. F.	Cart., 37 Hen. 3.
Bosco Arso	-	M.	Cart., 36 Hen. 3.	Moreton sup.	-	M.	Cart., 37 Hen. 3.
Chircheden	-	F.	Cart., 36 Hen. 3.	Trent.	-	M. F.	Cart., 37 Hen. 3.
Sutton Revis	-	M. F.	Cart., 36 Hen. 3.	Westham	-	M. F.	Cart., 37 Hen. 3.
Wamberge	-	F.	Cart., 36 Hen. 3.	Marblethorp	-	M. F.	Cart., 37 Hen. 3.
Elkesdon	-	M.	Cart., 36 Hen. 3.	Swafham	-	M. F.	Cart., 37 Hen. 3.
Hulmo	-	M. F.	Cart., 36 Hen. 3.	Wadehurst	-	M. F.	Cart., 37 Hen. 3.
Werk	-	M. F.	Cart., 36 Hen. 3.	Enmeley	-	M. F.	Cart., 37 Hen. 3.
Thoresweye	-	M. F.	Cart., 36 Hen. 3.	Bassingburn	-	M. F.	Cart., 37 Hen. 3.
Huntindon	-	F.	Cart., 36 Hen. 3.	Bradwell	-	M. F.	Vascon. Pat. et. Cart., 37 & 38 Hen. 3.
Hovingham	-	M. F.	Cart., 36 Hen. 3.	Cambok	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Pereton	-	F.	Cart., 36 Hen. 3.	Thormerton	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Walsingham	-	M. F.	Cart., 36 Hen. 3.	Rod	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Brampton	-	M. F.	Cart., 36 Hen. 3.	Modyndon	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Wyhton	-	M.	Cart., 36 Hen. 3.	Wokinton	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Boulton	-	M. F.	Cart., 36 Hen. 3.	Kelleston	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Huttockeshatre	-	M. F.	Cart., 36 Hen. 3.	Pulrebache	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Heywode	-	M. F.	Cart., 36 Hen. 3.	Elmele	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Watre	-	M. F.	Cart., 36 Hen. 3.	Stakel	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Welwe	-	M.	Cart., 36 Hen. 3.	Lithe	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Rippeleggh	-	M. F.	Cart., 36 Hen. 3.	Gmelton	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Huniasy	-	M. F.	Cart., 37 Hen. 3.	Herewarton	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
Clarir	-	M. F.	Cart., 37 Hen. 3.	Sutton	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
				Brinkel	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.
				Bren	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Apeldorefeld	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Hilleland	-	F.	Cart., 41 Hen. 3, m. 13.
Kurleston	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Lesnes	-	M. F.	Cart., 41 Hen. 3, m. 14.
Brundall	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Touthull	-	M. F.	Cart., 41 Hen. 3, m. 14.
Mukbston	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Wilton	-	M. F.	Cart., 41 Hen. 3, m. 1.
Clent	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Noketon	-	F.	Cart., 41 Hen. 3, m. 1.
Wermister	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Latton	-	M. F.	Cart., 41 Hen. 3, m. 1.
Castelholgod	-	M.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Baston	-	M. F.	Cart., 41 Hen. 3, m. 1.
Sandling	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Pritellwell	-	M. F.	Cart., 41 Hen. 3, m. 1.
Burnham	-	M. F.	Vas. Pat. & Cart., 37 & 38 Hen. 3.	Laneham	-	M. F.	Cart., 41 Hen. 3, m. 1.
Bancwell	-	F.	Vas. Pat. & Cart., 37 & 38 Hen. 3, dorso.	Abiton	-	M. F.	Cart., 41 Hen. 3, m. 1.
Crude	-	M.	Vas. Pat. & Cart., 37 & 38 Hen. 3, dorso.	Cestresham	-	M. F.	Cart., 41 Hen. 3, m. 1.
Grimston	-	F.	Pat. Vascon., 37 & 38 Hen. 3, pt. 2.	Strafford	-	F.	Cart., 41 Hen. 3, m. 1.
Frampton	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Walsingham	-	M.	Cart., 41 Hen. 3, m. 1.
Gestling	-	F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Colleston Bassett	-	M. F.	Cart., 41 Hen. 3, m. 2.
Lotrache	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Kenefare	-	M. F.	Cart., 41 Hen. 3, m. 2.
Owesdon	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Reyndon	-	M. F.	Cart., 41 Hen. 3, m. 2.
Wokendon	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Aete	-	F.	Cart., 41 Hen. 3, m. 2.
Stepellanimton	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Waure	-	M. F.	Cart., 41 Hen. 3, m. 2.
Andeford	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Turboc	-	M. F.	Cart., 41 Hen. 3, m. 2.
Andredelegh	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Stayngrew	-	M. F.	Cart., 41 Hen. 3, m. 2.
Ellesford	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Kilminton	-	M. F.	Cart., 41 Hen. 3, m. 2.
Ywurdeby	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Faton	-	M. F.	Cart., 41 Hen. 3, m. 2.
Popleford	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Garing	-	M. F.	Cart., 41 Hen. 3, m. 2.
Chanunlegh	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Marnham Cha- worth.	-	M. F.	Cart., 41 Hen. 3, m. 2.
Hoggeston	-	F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Rochford	-	M. F.	Cart., 41 Hen. 3, m. 2.
Enesfeld	-	F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Wytinton	-	M. F.	Cart., 41 Hen. 3, m. 2.
Wastonisham	-	F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Brickhull	-	M. F.	Cart., 41 Hen. 3, m. 2.
Odeford Magna	-	M.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Tanshelf	-	M. F.	Cart., 41 Hen. 3, m. 2.
Cedder	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Lunt	-	M. F.	Cart., 41 Hen. 3, m. 2.
Orewell	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Twenge	-	M. F.	Cart., 41 Hen. 3, m. 2.
Ware	-	F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Cotum	-	M. F.	Cart., 41 Hen. 3, m. 4.
Hoton Paynell	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Pakynnton	-	M. F.	Cart., 41 Hen. 3, m. 4.
Rysing	-	F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Sutham	-	M. F.	Cart., 41 Hen. 3, m. 4.
Badelking	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Clyve	-	M. F.	Cart., 41 Hen. 3, m. 4.
Dunmowe	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Poulet	-	F.	Cart., 41 Hen. 3, m. 4.
Geyton	-	M. F.	Pat. Vas., 37 & 38 Hen. 3, pt. 2.	Culminton	-	M. F.	Cart., 41 Hen. 3, m. 4.
Wherinton	-	F.	Cart., 39 Hen. 3, m. 1.	Shrivenham	-	M. F.	Cart., 41 Hen. 3, m. 4.
Totole	-	M. F.	Cart., 39 Hen. 3, m. 1.	Orekelad	-	F.	Cart., 41 Hen. 3, m. 4.
Spillesby	-	M. F.	Cart., 39 Hen. 3, m. 2.	Altoworth	-	F.	Cart., 41 Hen. 3, m. 4.
Bampton	-	M. F.	Cart., 39 Hen. 3, m. 2.	Stratton	-	M.	Cart., 41 Hen. 3, m. 4.
Cokefeld	-	M. F.	Cart., 39 Hen. 3, m. 2.	Lyminton	-	F.	Cart., 41 Hen. 3, m. 4.
Wenge	-	M. F.	Cart., 39 Hen. 3, m. 2.	Karesbroke	-	F.	Cart., 41 Hen. 3, m. 4.
Roenge	-	M. F.	Cart., 39 Hen. 3, m. 2.	Chesterhunt	Herts	F.	Cart., 41 Hen. 3, m. 5.
Petresfeld	-	2 F.	Cart., 39 Hen. 3, m. 3.	Snafham	Norfolk	M. F.	Cart., 41 Hen. 3, m. 5.
Bokeby	-	M. F.	Cart., 39 Hen. 3, m. 3.	Ikkeburgh	-	M. F.	Cart., 41 Hen. 3, m. 5.
Quaplod	-	M. F.	Cart., 39 Hen. 3, m. 3.	Annesburton	-	M. F.	Cart., 41 Hen. 3, m. 5.
Couern	-	M. F.	Cart., 39 Hen. 3, m. 3.	West Tillbery	-	M.	Cart., 41 Hen. 3, m. 6.
Wedmere	-	M. F.	Cart., 39 Hen. 3, m. 4.	Wilton	-	M. F.	Cart., 41 Hen. 3, m. 6.
Sweyneston	-	M. F.	Cart., 39 Hen. 3, m. 6.	Huntinton	-	M. F.	Cart., 41 Hen. 3, m. 7.
Dunlington	-	M. F.	Cart., 39 Hen. 3, m. 6.	Hornese	-	M.	Cart., 41 Hen. 3, m. 8.
Binington	-	M.	Cart., 39 Hen. 3, m. 6.	Stret'	-	M. F.	Cart., 41 Hen. 3, m. 7.
Oubbeleg	-	M. F.	Cart., 39 Hen. 3, m. 6.	Wakenfeud	-	F.	Cart., 42 Hen. 3, m. 1.
Norton	-	F.	Cart., 39 Hen. 3, m. 6.	Bocland	-	M. F.	Cart., 42 Hen. 3, m. 1.
Bristol	-	F.	Cart., 39 Hen. 3, m. 6.	Gonsell	-	M. F.	Cart., 42 Hen. 3, m. 1.
Beknesfeld	-	M.	Cart., 39 Hen. 3, m. 7.	Baunton	-	F.	Cart., 42 Hen. 3, m. 1.
Cettre	-	M. F.	Cart., 41 Hen. 3, m. 9.	St. Ive	-	F.	Cart., 42 Hen. 3, m. 1.
Huntington	-	M. F.	Cart., 41 Hen. 3, m. 12.	Weydelyngton	-	M. F.	Cart., 42 Hen. 3, m. 4.
Dodebroke	-	M. F.	Cart., 41 Hen. 3, m. 12.	Ixnyng	-	M. F.	Cart., 42 Hen. 3, m. 4.
Halveldon	-	M.	Cart., 41 Hen. 3, m. 12.	Wulverhampton	-	M. F.	Cart., 42 Hen. 3, m. 4.
Northwell	-	F.	Cart., 41 Hen. 3, m. 13.	Etyndon	-	M. F.	Cart., 42 Hen. 3, m. 5.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Sorywelby	-	M. F.	Cart., 42 Hen. 3, m. 5.	Bolver	-	M. F.	Cart., 45 Hen. 3.
Wirmesey	-	2 F.	Cart., 42 Hen. 3, m. 5.	Stafford	-	F.	Cart., 45 Hen. 3.
Sochil	-	M. 2 F.	Cart., 42 Hen. 3, m. 5.	Clifford	-	M. F.	Cart., 45 Hen. 3.
Gerolveston	-	F.	Cart., 42 Hen. 3, m. 5.	Fyndon	Northampton	M. F.	Cart., 45 Hen. 3.
Stowa	-	F.	Cart., 42 Hen. 3, m. 5.	Hethe	-	F.	Cart., 45 Hen. 3.
Sutton	-	M. F.	Cart., 42 Hen. 3, m. 5.	Aashby la Zouche.	Leicester	M. F.	Cart., 45 Hen. 3.
Culmeton	-	M. F.	Cart., 42 Hen. 3, m. 5.	Swamseye	-	F.	Cart., 45 Hen. 3.
Tuyverton	-	M. F.	Cart., 42 Hen. 3, m. 5.	Iwern Courtney	-	M. 2 F.	Cart., 45 Hen. 3.
Hunyton	-	F.	Cart., 42 Hen. 3, m. 5.	Shelve	-	M. F.	Cart., 45 Hen. 3.
Topesham	-	F.	Cart., 42 Hen. 3, m. 5.	Holecumbe	-	M. F.	Cart., 45 Hen. 3.
Stratton	-	F.	Cart., 42 Hen. 3, m. 5.	Gyseburne	-	M. F.	Cart., 45 Hen. 3.
Christechirch	-	F.	Cart., 42 Hen. 3, m. 5.	Winesham	-	M. F.	Cart., 46 Hen. 3, m. 3.
Emeldon	-	M. F.	Cart., 42 Hen. 3, m. 5.	Wendon	-	M. F.	Cart., 46 Hen. 3, m. 3.
Neuton	-	M. F.	Cart., 42 Hen. 3, m. 5.	Hanene	-	M. 2 F.	Cart., 46 Hen. 3, m. 3.
Wygan	-	M. 2 F.	Cart., 42 Hen. 3, m. 5.	Wigeton	-	M. F.	Cart., 46 Hen. 3, m. 3.
Bruer	-	M. F.	Cart., 43 Hen. 3, m. 4.	Lenington	-	M. F.	Cart., 46 Hen. 3, m. 3.
Nymeton	-	M. F.	Cart., 43 Hen. 3, m. 4.	Rochford	-	M. 2 F.	Cart., 48 Hen. 3.
Lichfeld	-	M. F.	Cart., 43 Hen. 3, m. 4.	Causton	-	F.	Cart., 48 Hen. 3.
Heywud	-	M. F.	Cart., 43 Hen. 3, m. 4.	Cannell]	-	M. F.	Cart., 48 Hen. 3.
Langedon	-	M. F.	Cart., 43 Hen. 3, m. 4.	Wakerl	-	F.	Cart., 48 Hen. 3.
Rugwell	-	M. F.	Cart., 43 Hen. 3, m. 4.	Dennlys	-	M. F.	Cart., 48 Hen. 3.
Kanokbire	-	M. F.	Cart., 43 Hen. 3, m. 4.	Coleward	-	M. F.	Cart., 48 Hen. 3, m. 2.
Berewic	-	M. F.	Cart., 43 Hen. 3, m. 4.	Torpeil	Northampton	M. F.	Cart., 48 Hen. 3, m. 2.
Eccleshall	-	M. F.	Cart., 43 Hen. 3, m. 4.	Odeston	-	M. F.	Cart., 48 Hen. 3, m. 2.
Berewod	-	M. F.	Cart., 43 Hen. 3, m. 4.	Freston	-	F.	Cart., 48 Hen. 3, m. 2.
Bermdeset	-	M. F.	Cart., 43 Hen. 3, m. 4.	Folkland	-	M. F.	Cart., 48 Hen. 3, m. 2.
Prees	-	M. F.	Cart., 43 Hen. 3.	Weston	-	M. F.	Cart., 48 Hen. 3, m. 2.
Sallow	-	M. F.	Cart., 43 Hen. 3.	Thirning	-	M. F.	Cart., 48 Hen. 3, m. 2.
Ichenton	-	M. F.	Cart., 43 Hen. 3.	Poulton	Wilts	M. F.	Cart., 48 Hen. 3, m. 2.
Tachbrok	-	M. F.	Cart., 43 Hen. 3.	Eston Boterell	-	M. F.	Cart., 48 Hen. 3, m. 2.
Kershilton	-	M. F.	Cart., 43 Hen. 3.	Puitmeney	-	M. F.	Cart., 48 Hen. 3, m. 2.
Snilleby	-	F.	Cart., 43 Hen. 3.	Alneton	-	M. F.	Cart., 49 Hen. 3, m. 3.
Soryvelby	-	M.	Cart., 43 Hen. 3.	Cotenham	-	M. F.	Cart., 49 Hen. 3, m. 3.
Newbigging	-	M. F.	Cart., 43 Hen. 3.	Belkington	-	M. F.	Cart., 49 Hen. 3, m. 4.
Penrin	Cornwall	M. F.	Cart., 43 Hen. 3.	Brigenhale	-	M. F.	Cart., 49 Hen. 3, m. 4.
Werwell	-	F.	Cart., 44 Hen. 3.	Clif	-	M. F.	Cart., 49 Hen. 3, m. 4.
Nuny	-	M. F.	Cart., 44 Hen. 3.	Sislaund	-	M. F.	Cart., 49 Hen. 3, m. 4.
Ruggwyk	-	F.	Cart., 44 Hen. 3.	Lodnes	-	F.	Cart., 49 Hen. 3, m. 4.
Lacok	-	M.	Cart., 44 Hen. 3.	Ketelberg	-	M. F.	Cart., 49 Hen. 3, m. 4.
Wollainston	-	M. F.	Cart., 44 Hen. 3.	Massingham	-	M.	Cart., 49 Hen. 3, m. 4.
Illeya Arsa	-	M. F.	Cart., 44 Hen. 3.	Hengham	-	F.	Cart., 49 Hen. 3, m. 4.
Adlingflet	-	M. F.	Cart., 44 Hen. 3.	Heselbergh	-	M.	Cart., 49 Hen. 3, m. 4.
Westlydford	-	M. F.	Cart., 44 Hen. 3.	Cumbemere	-	M. F.	Cart., 49 Hen. 3, m. 4.
Beccles	-	F.	Cart., 44 Hen. 3.	Wakering	-	M.	Cart., 49 Hen. 3, m. 4.
Baumburgh	-	M. F.	Cart., 44 Hen. 3.	Hulmarton	-	M. F.	Cart., 49 Hen. 3, m. 4.
Bony	-	M. F.	Cart., 44 Hen. 3.	Melchburne	-	M. F.	Cart., 49 Hen. 3, m. 4.
Morston	-	M.	Cart., 44 Hen. 3.	Salop	-	F.	Cart., 51 Hen. 3, m. 4.
Schepton	-	M. F.	Cart., 44 Hen. 3.	Titlehall	-	M. F.	Cart., 51 Hen. 3, m. 2.
Tunsted	-	M. F.	Cart., 44 Hen. 3.	Chippesham	-	F.	Cart., 51 Hen. 3, m. 2.
Horolinston	-	F.	Cart., 44 Hen. 3.	Banuton	-	M. 2 F.	Cart., 51 Hen. 3, m. 2.
Camelford	-	M. F.	Cart., 44 Hen. 3.	Offculum	-	M. 2 F.	Cart., 51 Hen. 3, m. 2.
Tenham	-	M. F.	Cart., 44 Hen. 3.	Merket Overton	-	M. F.	Cart., 51 Hen. 3, m. 2.
Helpringham	-	M. F.	Cart., 44 Hen. 3.	Welpington	-	M. F.	Cart., 51 Hen. 3, m. 2.
Retford	-	F.	Cart., 44 Hen. 3.	Kenemerford	-	M. F.	Cart., 51 Hen. 3, m. 2.
Magetend	-	M. F.	Cart., 45 Hen. 3.	Lidell	-	M. F.	Cart., 51 Hen. 3, m. 2.
Herewes	-	M. F.	Cart., 45 Hen. 3.	Drencheston	-	M. F.	Cart., 51 Hen. 3, m. 2.
Kirkby	-	M. F.	Cart., 45 Hen. 3.	Redepethe	-	M. F.	Cart., 51 Hen. 3, m. 4.
Newbigging	-	F.	Cart., 45 Hen. 3.	Overton	-	M. F.	Cart., 51 Hen. 3, m. 4.
Brunkell	-	M. F.	Cart., 45 Hen. 3.	Welpington	-	M. F.	Cart., 51 Hen. 3, m. 4.
Petrisfeld	-	M.	Cart., 45 Hen. 3.	Bory	-	F.	Cart., 51 Hen. 3, m. 5.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Trigeny - - - -		F.	Cart., 51 Hen. 3, m. 5.	Kenetbiry - - - -		M. F. 2	Cart., 52 Hen. 3, m. 12.
Alebroke - - - -		M. 2 F.	Cart., 51 Hen. 3, m. 5.	Winterburne St. Martin.		M. F.	Cart., 52 Hen. 3, m. 12.
Doroestr' Magna - - - -		M. F.	Cart., 51 Hen. 3, m. 5.	Werchorn - - - -		M. F.	Cart., 52 Hen. 3, m. 12.
Bereden - - - -		F.	Cart., 51 Hen. 3, m. 6.	Lidford - - - -		M. F.	Cart., 52 Hen. 3, m. 12.
Stratton - - - -		M. F.	Cart., 51 Hen. 3, m. 6.	Aloynton - - - -		M. F.	Cart., 52 Hen. 3, m. 12.
Bere - - - -		M. F.	Cart., 51 Hen. 3, m. 6.	Calweton - - - -		M. F.	Cart., 52 Hen. 3, m. 12.
Mayperly - - - -		M. F.	Cart., 51 Hen. 3, m. 6.	Shapwyke - - - -		M. F.	Cart., 52 Hen. 3, m. 12.
Egremunt - - - -		M. F.	Cart., 51 Hen. 3, m. 6.	Egeton - - - -		M. F.	Cart., 53 Hen. 3, m. 1.
Porthenesse - - - -		M. F.	Cart., 51 Hen. 3, m. 6.	Box - - - -		M. F. {	Cart., 53 Hen. 3, m. 2.
Ercalewe - - - -		M. F.	Cart., 51 Hen. 3, m. 6.	Hoddesdon - - - -			Cart., 53 Hen. 3, m. 2.
Wherwell - - - -		M.	Cart., 51 Hen. 3, m. 6.	Morton Hin- mersh.		F.	Cart., 53 Hen. 3, m. 2.
Wytingham - - - -		M. F.	Cart., 51 Hen. 3, m. 6.	Bewyk - - - -		M.	Cart., 53 Hen. 3, m. 2.
Lidum - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Clay - - - -		M. F.	Cart., 53 Hen. 3, m. 2.
Aspele - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Bricklesworth -	Northampton	M. F.	Cart., 53 Hen. 3, m. 2.
Resketon - - - -		M. 2 F.	Cart., 51 Hen. 3, m. 7.	Parrok - - - -		M. F.	Cart., 53 Hen. 3, m. 2.
Berling - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Salehurst - - - -		M.	Cart., 53 Hen. 3, m. 3.
Witleford - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Upton - - - -		M. F.	Cart., 53 Hen. 3, m. 3.
Hocham - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Stameston - - - -		M. F.	Cart., 53 Hen. 3, m. 3.
Ramsay - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Duffield - - - -		M. F.	Cart., 53 Hen. 3, m. 3.
Carleton - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Heslarton - - - -		M. F.	Cart., 53 Hen. 3, m. 3.
Upton Escude- more.		M. F.	Cart., 51 Hen. 3, m. 7.	Huleburge - - - -		M. F.	Cart., 53 Hen. 3, m. 4.
Fild Escude- more.		M. F.	Cart., 51 Hen. 3, m. 7.	Stanlegh - - - -		M. F.	Cart., 53 Hen. 3, m. 4.
Appelby - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Rollendrith -	Oxford	M. F.	Cart., 53 Hen. 3, m. 4.
Wiset - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Albam Monaster' -		M. F.	Cart., 53 Hen. 3, m. 4.
Bottele - - - -		M. F.	Cart., 51 Hen. 3, m. 7.	Stokeland - - - -		F.	Cart., 53 Hen. 3, m. 4.
Barewe - - - -		M. F.	Cart., 51 Hen. 3, m. 8.	Sutton in Hol- land.		M. F.	Cart., 53 Hen. 3, m. 5.
Orlanston - - - -		M. F.	Cart., 51 Hen. 3, m. 11.	Lutton - - - -		M. F.	Cart., 53 Hen. 3, m. 5.
Bureford - - - -		M. F.	Cart., 51 Hen. 3, m. 12.	Swaneton - - - -		F.	Cart., 53 Hen. 3, m. 5.
Mote - - - -		M. F.	Cart., 51 Hen. 3, m. 12.	Ambresbury -	Wilts	M. F.	Cart., 53 Hen. 3, m. 5.
Horsley - - - -		M. F.	Cart., 51 Hen. 3, m. 3 d.	Cherleton - - - -		M. F.	Cart., 53 Hen. 3, m. 5.
Wellehagh - - - -		M. F.	Cart., 52 Hen. 3, m. 1.	Burencester -	Oxford	F.	Cart., 53 Hen. 3, m. 5.
Kodwelly - - - -		2 M. 1 F.	Cart., 52 Hen. 3, m. 1.	Sandyacer - - - -		M. F.	Cart., 53 Hen. 3, m. 5.
Kinemersford - - - -		M. F.	Cart., 52 Hen. 3, m. 1.	Fenestratford -	Buckingham	F.	Cart., 53 Hen. 3, m. 5.
Repinghale - - - -		M. F.	Cart., 52 Hen. 3, m. 1.	Ireland - - - -		Diversa M. F.	Cart., 53 Hen. 3, m. 6.
Maydenstan - - - -		F.	Cart., 52 Hen. 3, m. 1.	Holt - - - -		F.	Cart., 53 Hen. 3, m. 6.
Bolesale - - - -		M. 2 F.	Cart., 52 Hen. 3, m. 1.	Typerneham - - - -		M.	Cart., 53 Hen. 3, m. 6.
Konelworth - - - -		M. F.	Cart., 52 Hen. 3, m. 1.	Attingham - - - -		F.	Cart., 53 Hen. 3, m. 6.
Codicot - - - -		M.	Cart., 52 Hen. 3, m. 1.	Hampton Monialium.		M. F.	Cart., 53 Hen. 3, m. 6.
Kirkby in Kendal. Stowe - - - -		F.	Cart., 52 Hen. 3, m. 1.	Wykham - - - -		M. F.	Cart., 53 Hen. 3, m. 8.
Wodeston -	Huntingdon	M. F.	Cart., 52 Hen. 3, m. 5.	Wherineton - - - -		M. F.	Cart., 53 Hen. 3, m. 9.
Alwalton -	Huntingdon	M.	Cart., 52 Hen. 3, m. 5.	Maddele - - - -		M. F.	Cart., 53 Hen. 3, m. 9.
Peterburgh -	Northampton	F.	Cart., 52 Hen. 3, m. 5.	Rothinges Alba -		M. F.	Cart., 53 Hen. 3, m. 11, 14.
Undle -	Northampton	F.	Cart., 52 Hen. 3, m. 5.	Crich - - - -		M. F.	Cart., 53 Hen. 3, m. 13.
Saltfleetby -	Lincoln	M. F.	Cart., 52 Hen. 3, m. 6.	Cherleton - - - -		M. F.	Cart., 53 Hen. 3, m. 13.
Northampton -		F.	Cart., 52 Hen. 3, m. 6.	Stratford sup. Aven.		F.	Cart., 53 Hen. 3, m. 13.
Shepton - - - -		F.	Cart., 52 Hen. 3, m. 6.	Lydney - - - -		M. F.	Cart., 53 Hen. 3, m. 14.
Colecester - - - -		F.	Cart., 52 Hen. 3, m. 6.	Bageworthe - - - -		M. F.	Cart., 54 Hen. 3, m. 1.
Schenle - - - -		M. F.	Cart., 52 Hen. 3, m. 7.	Frome - - - -		F.	Cart., 54 Hen. 3, m. 1.
Docking - - - -		M. F.	Cart., 52 Hen. 3, m. 8.	Bacwell - - - -		M. F.	Cart., 54 Hen. 3, m. 2.
Hull Morton - - - -		M. F.	Cart., 52 Hen. 3, m. 9.	Selburn - - - -		M. F.	Cart., 54 Hen. 3, m. 3.
Haselbere - - - -		M.	Cart., 52 Hen. 3, m. 9.	Northmulton - - - -		M. F.	Cart., 54 Hen. 3, m. 3.
Herewardstoke - - - -		M.	Cart., 52 Hen. 3, m. 9.	Estisted - - - -		F.	Cart., 54 Hen. 3, m. 3.
Karswell Regis - - - -		M. F.	Cart., 52 Hen. 3, m. 10.	Brumfield - - - -		M. F.	Cart., 54 Hen. 3, m. 3.
Falesham - - - -		M. F.	Cart., 52 Hen. 3, m. 10.	Alverichseye - - - -		M. F.	Cart., 54 Hen. 3, m. 3.
Parrok - - - -		M. F.	Cart., 52 Hen. 3, m. 11.	Cramlington - - - -		M. F.	Cart., 54 Hen. 3, m. 3.
Rogate - - - -		F.	Cart., 52 Hen. 3, m. 11.	Fiskerton - - - -		M. F.	Cart., 54 Hen. 3, m. 4, 5.
Baunton - - - -		F.	Cart., 52 Hen. 3, m. 12.	Reynham - - - -		M. F.	Cart., 54 Hen. 3.
Maydenbradley -	Wilts	M.	Cart., 52 Hen. 3, m. 12.	Meydinton - - - -		M.	Cart., 54 Hen. 3.
Lenge - - - -		M. F.	Cart., 52 Hen. 3, m. 12.	Crokeston - - - -		M. F.	Cart., 54 Hen. 3.
				Tamerton - - - -		M. F.	Cart., 54 Hen. 3.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Aston	-	M. F.	Cart., 54 Hen. 3, m. 5.	Saxmundesham	-	M. F.	Cart., 56 Hen. 3, m. 2.
Langworth	-	M. F.	Cart., 54 Hen. 3, m. 5.	Cudicote	-	F.	Cart., 56 Hen. 3, m. 2.
Worthyn	-	M. F.	Cart., 54 Hen. 3, m. 5.	Redcote	-	M. F.	Cart., 56 Hen. 3, m. 2.
Lydham	-	M.	Cart., 54 Hen. 3, m. 5.	Carhoue	-	F.	Cart., 56 Hen. 3, m. 2.
Berkweye	-	M. F.	Cart., 54 Hen. 3, m. 6.	Rokingham	-	M.	Cart., 56 Hen. 3, m. 2.
Ilsinton	-	M. F.	Cart., 54 Hen. 3, m. 6.	Heleighton	-	M.	Cart., 56 Hen. 3, m. 3.
Writlington	-	M. F.	Cart., 54 Hen. 3, m. 6.	Ashby	-	F.	Cart., 56 Hen. 3, m. 3.
Stretham	-	M. F.	Cart., 54 Hen. 3, m. 6.	Langerugg	-	M. F.	Cart., 56 Hen. 3, m. 3.
Clifton	-	M. F.	Cart., 54 Hen. 3, m. 6.	Burgate	-	M. F.	Cart., 56 Hen. 3, m. 3.
Stratford	-	F.	Cart., 54 Hen. 3, m. 6.	Walpole	-	M. F.	Cart., 56 Hen. 3, m. 3.
Bloelege	-	F.	Cart., 54 Hen. 3, m. 6.	Hecham	-	M. F.	Cart., 56 Hen. 3, m. 3.
Almethchurch	-	M. F.	Cart., 51 Hen. 3, m. 6.	Taterford	-	M. F.	Cart., 56 Hen. 3, m. 3.
Sarum	-	F.	Cart., 51 Hen. 3, m. 6.	Ariham	-	M. F.	Cart., 56 Hen. 3, m. 3.
Plumstod	-	M.	Cart., 51 Hen. 3, m. 10.	Stenington	-	M. F.	Cart., 56 Hen. 3, m. 3.
Belton	-	M. F.	Cart., 51 Hen. 3, m. 10.	Bideford	-	M. F.	Cart., 56 Hen. 3, m. 3.
Bernwell	-	M. F.	Cart., 51 Hen. 3, m. 10.	Alfinton	-	M. F.	Cart., 56 Hen. 3, m. 3.
Wisson	-	M. F.	Cart., 54 Hen. 3, m. 10.	Helton	-	M. F.	Cart., 56 Hen. 3, m. 3.
Bissey	-	M. F.	Cart., 54 Hen. 3, m. 12.	Hurtendon	-	M. F.	Cart., 56 Hen. 3, m. 3.
Teynton	-	M. F.	Cart., 54 Hen. 3, m. 12.	Ilfrichcombe	-	M. F.	Cart., 56 Hen. 3, m. 4.
Acton Burnell	-	M. F.	Cart., 54 Hen. 3, m. 13.	Swere	-	F.	Cart., 56 Hen. 3, m. 4.
Shirburne	-	M. F.	Cart., 54 Hen. 3, m. 13.	Strethamtoftes	-	F.	Cart., 56 Hen. 3, m. 4.
Neuton.	-	M. F.	Cart., 54 Hen. 3, m. 14.	Romesey	-	F.	Cart., 56 Hen. 3, m. 5.
Lideford	-	M. F.	Cart., 54 Hen. 3, m. 14.	Hocham	-	M. F.	Cart., 56 Hen. 3, m. 5.
Newport Pay-	Buckingham	M. F.	Cart., 54 Hen. 3, m. 14.	Trillane Magna	-	M. F.	Cart., 56 Hen. 3, m. 5.
Waleton	-	M. F.	Cart., 55 Hen. 3, m. 1.	Skipse	-	M.	Cart., 56 Hen. 3, m. 6.
Brandon	-	M. F.	Cart., 55 Hen. 3, m. 1.	Hedon	-	F.	Cart., 56 Hen. 3, m. 6.
Ditton	-	M. F.	Cart., 55 Hen. 3, m. 1.	Poklington	-	F.	Cart., 56 Hen. 3, m. 6.
Tadcastro	-	M. F.	Cart., 55 Hen. 3, m. 1.	Tonge	-	F.	Cart., 56 Hen. 3, m. 6.
Hertingo	-	M. F.	Cart., 55 Hen. 3, m. 2.	Lokerle	-	M. F.	Cart., 56 Hen. 3, m. 7.
Cheping Taun-	-	M. F.	Cart., 55 Hen. 3, m. 2.	Burton in le	-	M. F.	Cart., 56 Hen. 3, m. 7.
Hou	-	M. F.	Cart., 55 Hen. 3, m. 2.	Cley.	-	M. F.	Cart., 56 Hen. 3, m. 7.
Styvekey	-	M. F.	Cart., 55 Hen. 3, m. 2.	Burg	-	M. F.	Cart., 56 Hen. 3, m. 7.
Lyme	-	M. F.	Cart., 55 Hen. 3, m. 2.	Seton	Devon	M. F.	Cart., 4 Edw. 1, n. 8.
Burnham	Buckingham	M. F.	Cart., 55 Hen. 3, m. 2.	Kesewik	Cumberland	M. F.	Cart., 4 Edw. 1, n. 9.
Weston	-	F.	Cart., 55 Hen. 3, m. 2.	Derwentfelles			
Burnham	Norfolk	M. F.	Cart., 55 Hen. 3, m. 2.	Dunebruge	Derby	M. F.	Cart., 4 Edw. 1, n. 22.
Botlesford	-	M. F.	Cart., 55 Hen. 3, m. 4.	Wernington	-	M. F.	Cart., 5 Edw. 1, n. 2.
Bures	-	M. F.	Cart., 55 Hen. 3, m. 5.	Reffham	Norfolk	M. F.	Cart., 5 Edw. 1, n. 3.
Shorn	-	M. F.	Cart., 55 Hen. 3, m. 5.	Asshele	Somerset	M. F.	Cart., 5 Edw. 1, n. 20.
Bolynges	-	M. F.	Cart., 55 Hen. 3, m. 5.	Croyndon	Surrey	M. F.	Cart., 5 Edw. 1, n. 24.
Moreton	-	F.	Cart., 55 Hen. 3, m. 5.	Aldrington	Northampton	M. F.	Cart., 6 Edw. 1, n. 12.
Swanseye	-	M. F.	Cart., 55 Hen. 3, m. 8.	Donynton	Leicester	M. F.	Cart., 6 Edw. 1, n. 15.
Brassingburgh	-	M. F.	Cart., 55 Hen. 3, m. 10.	Bromburg	Chester	M. F.	Cart., 6 Edw. 1, n. 18.
Brampton	-	M. F.	Cart., 55 Hen. 3, m. 10.	Bernewell	Northampton	M. F.	Cart., 6 Edw. 1, n. 19.
Aslaketon	-	M. F.	Cart., 55 Hen. 3, m. 10.	Dogmaresfeld	Hants	M. F.	Cart., 6 Edw. 1, n. 20.
Tuddworth	-	M. F.	Cart., 55 Hen. 3, m. 12.	Hayton	Cumberland	M. F.	Cart., 6 Edw. 1, n. 21.
Moreton	-	M. F.	Cart., 55 Hen. 3, m. 12.	Overton	Westmoreland	M. F.	Cart., 6 Edw. 1, n. 22.
Levene	-	M. F.	Cart., 55 Hen. 3, m. 12.	Burewell	Cambridge	M. F.	Cart., 6 Edw. 1, n. 25.
Andeby	-	M. F.	Cart., 55 Hen. 3, m. 12.	Wike sup. le	York	M. F.	Cart., 7 Edw. 1, n. 14.
Solbir	-	M. F.	Cart., 55 Hen. 3, m. 12.	Hulle.	Ireland	M.	Cart., 7 Edw. 1, n. 16.
Fremingham	-	M. F.	Cart., 55 Hen. 3, m. 12.	Dernaghe	Ireland	F.	Cart., 7 Edw. 1, n. 18.
Hunton	Dorset	M. F.	Cart., 56 Hen. 3, m. 1.	Trym	Ireland		
Glen	-	M. F.	Cart., 56 Hen. 3, m. 1.	Havarmon	Wales	M. F.	Cart., 7 Edw. 1, n. 19.
Wattlesburgh	-	M. F.	Cart., 56 Hen. 3, m. 1.	Cernemue	Dorset	M. F.	Cart., 7 Edw. 1, n. 22.
Wellburne	-	M. F.	Cart., 56 Hen. 3, m. 1.	Overton	Wales	M. F.	Cart., 7 Edw. 1, n. 23.
Gerboldesham	-	M. F.	Cart., 56 Hen. 3, m. 1.	Axbrug	Somerset	F.	Cart., 7 Edw. 1, n. 24.
Wynerdeston	-	M. F.	Cart., 56 Hen. 3, m. 1.	Bothecastre	Cumberland	M. F.	Cart., 7 Edw. 1, n. 26.
Massingham	-	M. F.	Cart., 56 Hen. 3, m. 1.	Trevenant	Wales	M. F.	Cart., 7 Edw. 1, n. 32.
parva.	-	M. F.	Cart., 56 Hen. 3, m. 1.	Ilfridecombe	Devon	M. F.	Cart., 7 Edw. 1, n. 33.
Stoksey	-	M. F.	Cart., 56 Hen. 3, m. 1.	Richmond	York	F.	Cart., 7 Edw. 1, n. 34.
Burg	-	M. F.	Cart., 56 Hen. 3, m. 2.	Thamldais	Wales	M. F.	Cart., 8 Edw. 1, n. 1.
Craule	-	M. F.	Cart. 56 Hen. 3 m. 2.	Solebury	Gloucester	M. F.	Cart., 8 Edw. 1, n. 4.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Welle -	Suffolk -	M. F.	Cart., 8 Edw. 1, n. 17.	Budiford -	- - -	M.	Cart., 10 Edw. 1, n. 21.
Birton -	Lincoln -	M. F.	Cart., 8 Edw. 1, n. 12.	Ceres -	Surrey -	M. F.	Cart., 10 Edw. 1, n. 22.
Alinton -	Kent -	M. F.	Cart., 8 Edw. 1, n. 13.	Alford -	Lincoln -	M. F.	Cart., 11 Edw. 1, n. 5.
Warehorne -	Kent -	M. F.	Cart., 8 Edw. 1, n. 16.	Rode -	Somerset -	M. F.	Cart., 11 Edw. 1, n. 6.
Buckeley -	Northampton	M. F.	Cart., 8 Edw. 1, n. 22.	Belchingley -	Surrey -	F.	Cart., 11 Edw. 1, n. 9.
Ulverston -	Lancaster -	M. F.	Cart., 8 Edw. 1, n. 28.	Baudressey -	Suffolk -	M. F.	Cart., 11 Edw. 1, n. 11.
Furneyse -				Ringmere -	- - -	M. F.	Cart., 11 Edw. 1, n. 15.
Dunningbr' -	Essex -	M. F.	Cart., 8 Edw. 1, n. 34.	Roucester -	- - -	M. F.	Cart., 11 Edw. 1, n. 17.
Dublin -	Ireland -	F.	Cart., 8 Edw. 1, n. 38.	Welinton -	Salop -	M. F.	Cart., 11 Edw. 1, n. 19.
Waterford -	- - -	F.	Cart., 8 Edw. 1, n. 40.	Glaston -	Somerset -	M. F.	Cart., 11 Edw. 1, n. 23.
Setone -	Cumberland -	M. F.	Cart., 8 Edw. 1, n. 41.	Bradwell -	Essex -	M. F.	Cart., 11 Edw. 1, n. 25, 35.
Porlemuth -	Devon -	M. F.	Cart., 8 Edw. 1, n. 50.	Stanford -	Norfolk -	M. F.	Cart., 11 Edw. 1, n. 29.
Middelton -	Dorset -	M. F.	Cart., 8 Edw. 1, n. 53.	Rushbur -	Salop -	M. F.	Cart., 11 Edw. 1, n. 32.
Horington -	Essex -	F.	Cart., 8 Edw. 1, n. 68.	Feltwell -	Norfolk -	M. F.	Cart., 11 Edw. 1, n. 36.
Westgrensted -	Sussex -	M. F.	Cart., 8 Edw. 1, n. 69.	Obernock -	Lancaster -	M. F.	Cart., 12 Edw. 1, n. 22.
Ergum -	Lancaster -	M. F.	Cart., 8 Edw. 1, n. 75.	Rupe -	Ireland -	M. F.	Cart., 12 Edw. 1, n. 9, 10.
Egeden -	Sussex -	M. F.	Cart., 8 Edw. 1, n. 88.	Loxibedy -		M. F.	Cart., 12 Edw. 1, n. 9, 10.
Overne -	Hereford -	M. F.	Cart., 9 Edw. 1, n. 4.	Jntheleffer -	Ireland -	M. F.	Cart., 12 Edw. 1, n. 9, 10.
Menenen -	Wales -	M. F.	Cart., 9 Edw. 1, n. 7.	Moydone -			Cart., 12 Edw. 1, n. 9, 10.
Langnadon -	- - -	F.		Adleck -			Cart., 12 Edw. 1, n. 9, 10.
Lanwaden -	- - -	M.	Cart., 9 Edw. 1, n. 8.	Dyveleck -	Ireland -	F.	Cart., 12 Edw. 1, n. 9, 10.
Lancadent -	- - -	M. F.	Cart., 9 Edw. 1, n. 8.	Pukelicherch -	Gloucester -	M. F.	Cart., 12 Edw. 1, n. 16, 17.
St. Germaine -	- - -	M. F.	Cart., 9 Edw. 1, n. 8.	Thlangothlan -	Wales -	M. F.	Cart., 12 Edw. 1, n. 19.
Landewibreny -	- - -	M. F.	Cart., 9 Edw. 1, n. 8.	Thamuther -		M. F.	Cart., 12 Edw. 1, n. 19.
Pikeringe -	York -	M. F.	Cart., 9 Edw. 1, n. 9.	Halverton -	Leicester -	M. F.	Cart., 12 Edw. 1, n. 20.
Ellesden -	Northumber- land -	M. F.	Cart., 9 Edw. 1, n. 10.	Rotheloe -	Leicester -	M. F.	Cart., 12 Edw. 1, n. 23.
Handeburg -	York -	M. F.	Cart., 9 Edw. 1, n. 15.	Abburbury -	Salop -	M. F.	Cart., 12 Edw. 1, n. 27.
Gosberkerk -	Lincoln -	M. F.	Cart., 9 Edw. 1, n. 17.	Kingston Russell -	Dorset -	M. F.	Cart., 12 Edw. 1, n. 28.
Manpas -	Chester -	M. F.	Cart., 9 Edw. 1, n. 30.	Bemenster -	Dorset -	M. F.	Cart., 12 Edw. 1, n. 29.
Drosleyn -	Wales -	M. F.	Cart., 9 Edw. 1, n. 34.	Halluton -	Leicester -	M. F.	Cart., 12 Edw. 1, n. 36.
Sandhuge -	Kent -	M. F.	Cart., 9 Edw. 1, n. 35.	Tylney -	Norfolk -	F.	Cart., 12 Edw. 1, n. 36.
Leomonster -	Hereford -	F.	Cart., 9 Edw. 1, n. 37.	Wynebergh -		M. F.	Cart., 12 Edw. 1, n. 36.
Herotone -	Devon -	M. F.	Cart., 9 Edw. 1, n. 38.	Canutele -		F.	Cart., 12 Edw. 1, n. 36.
Styvenack -	Herts -	M. F.	Cart., 9 Edw. 1, n. 45.	Coleston basset	Nottingham -	M. F.	Cart., 12 Edw. 1, n. 44.
Uppingham -	Butland -	M. F.	Cart., 9 Edw. 1, n. 46.	Ozeburg -	Norfolk -	M. F.	Cart., 12 Edw. 1, n. 56.
Abbottesbery -	Dorset -	M.	Cart., 9 Edw. 1, n. 56.	Burnham -	Somerset -	F.	Cart., 12 Edw. 1, n. 7, 20.
Brunne -	Lincoln -	M. F.	Cart., 9 Edw. 1, n. 57.	Kylundon -	Ireland -	M.	Cart., 12 Edw. 1, n. 26.
Gersington -	York -	M. F.	Cart., 9 Edw. 1, n. 58.	Arundell -	Sussex -	F.	Cart., 12 Edw. 1, n. 27.
Burkeby -	Northampton	M. F.	Cart., 9 Edw. 1, n. 62.	Cocking -	Sussex -	M. F.	Cart., 12 Edw. 1, n. 28.
Crukhowell -	Hereford -	M. F.	Cart., 9 Edw. 1, n. 67.	Shipborne -	Kent -	M. F.	Cart., 12 Edw. 1, n. 23.
Tokynton -	Gloucester -	M. F.	Cart., 9 Edw. 1, n. 69.	Frompton -	Gloucester -	M. F.	Cart., 12 Edw. 1, n. 33.
Crikes -	Norfolk -	M. F.	Cart., 9 Edw. 1, n. 72.	Lampeter in Com. Cardigan.	Wales -	M. F.	Cart., 12 Edw. 1, n. 65.
Mendlesham -	Suffolk -	M. F.	Cart., 9 Edw. 1, n. 78.	Edlington -	Lincoln -	M. F.	Cart., 12 Edw. 1, n. 73.
Borham -	Essex -	M. F.	Cart., 9 Edw. 1, n. 80.	Britewell -	Suffolk -	F.	Cart., 12 Edw. 1, n. 94.
Whernelton -	York -	M. F.	Cart., 9 Edw. 1, n. 95.	Shepedon -	Norfolk -	M. F.	Cart., 12 Edw. 1, n. 102.
Onere -	Chester -	M. F.	Cart., 9 Edw. 1, n. 106.	Oxburg -	Norfolk -	F.	Cart., 12 Edw. 1, n. 102.
De la Pole -	Marches of Wales -	M. F.	Cart., 10 Edw. 1, n. 1.	Plesleghe -	Derby -	M. F.	Cart., 12 Edw. 1, n. 105.
Berkham -	Cambridge -	M. F.	Cart., 10 Edw. 1, n. 3.	Boseworth -	Leicester -	M. F.	Cart., 12 Edw. 1, n. 111.
Ockeford Ni- chell -	Dorset -	M. F.	Cart., 10 Edw. 1, n. 5.	Winelescumb -	Somerset -	M. F.	Cart., 12 Edw. 1, n. 112.
Thorple -	Chester -	M. F.	Cart., 10 Edw. 1, n. 9.	Morpath -	Northumber- land -	F.	Cart., 12 Edw. 1, n. 113.
Neweton sup. Use -	York -	M. F.	Cart., 10 Edw. 1, n. 20.	Almundesbury	Gloucester -	M. F.	Cart., 12 Edw. 1, n. 113.
Brock -	Norfolk -	M. F.	Cart., 10 Edw. 1, n. 11.	Grundesburg -	Suffolk -	M. F.	Cart., 12 Edw. 1, n. 126.
Stratton -	Somerset -	M. F.	Cart., 10 Edw. 1, n. 13.	Sole iuxta Kemsing -	Kent -	M. F.	Cart., 12 Edw. 1, n. 127.
Sutton in Hoi- land -	Lincoln -	M. F.	Cart., 10 Edw. 1, n. 20.	Warrwick -	Gloucester -	M. F.	Cart., 12 Edw. 1, n. 140.
Lutton -			Cart., 10 Edw. 1, n. 20.	Rusleshale -	Wilts -	F.	Cart., 12 Edw. 1, n. 140.
Swaneton -			Cart., 10 Edw. 1, n. 20.	Cosham -	Wilts -	M.	Cart., 12 Edw. 1, n. 142.
Wayneffett -			Cart., 10 Edw. 1, n. 20.	Credeley -	Hereford -	M. F.	Cart., 12 Edw. 1, n. 143.
Wrangel -	Lincoln -	{ M. M. }	Cart., 10 Edw. 1, n. 20.	Cardigan -	Wales -	M. F.	Cart., 12 Edw. 1, n. 151.
Teteney -				Grensted -	Sussex -	M.	Close, 12 Edw. 1, m. 12.
Congelton -	- - -	M. F.	Cart., 10 Edw. 1, n. 20.	Werington -	Lancaster -	M. F.	Cart., 12 Edw. 1, m. 28 d.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Nova Villa	Dorset	M. F.	Cart., 14 Edw. 1, n. 2, 3.	Wilton	Northumber- land.	M. F.	Cart., 18 Edw. 1, n. 97, 98.
Maynoth in Com. Kildare.	Ireland	M. F.	Cart., 14 Edw. 1, n. 4.	Surflett	Lincoln	M. F.	Cart., 18 Edw. 1, n. 100.
Boswargun in Com. Kilkenny.	Ireland	M. F.	Cart., 14 Edw. 1, n. 9.	Aveton Giffard	Essex	M. F.	Cart., 18 Edw. 1, n. 103.
Devenebr'	Devon	M. F.	Cart., 14 Edw. 1, n. 18.	Kardigan	Wales	M. F.	Cart., 19 Edw. 1, n. 3.
Leye Canoni- corum.	Devon	{ F. M.	Cart., 14 Edw. 1, n. 19. Cart., Pat., Close, n. —.	Bydiford	Warwick	M. F.	Cart., 19 Edw. 1, n. 14.
Ormescherch	Lancaster	M. F.	Cart., 14 Edw. 1, n. 23.	Sutheave	York	M. F.	Cart., 19 Edw. 1, n. 17.
Thilandleys	Wales	M. F.	Cart., 14 Edw. 1, n. 25.	Newton Were- corth.	Northumber- land.	M. F.	Cart., 19 Edw. 1, n. 20.
Amillers	Essex	M. F.	Cart., 14 Edw. 1, n. 28.	Chilleham	Kent	M. F.	Cart., 19 Edw. 1, n. 21.
Torkesey	Lincoln	M. F.	Cart., 14 Edw. 1, n. 32.	Sydebyr	Devon	M. F.	Cart., 19 Edw. 1, n. 23.
Grommbrig	Kent	M. F.	Cart., 14 Edw. 1, n. 33.	Killeby in Com. Cornage.	Ireland	M. F.	Cart., 19 Edw. 1, n. 29.
Herton	-	F.	Cart., 14 Edw. 1, n. 37.	Tollerton	York	M. F.	Cart., 19 Edw. 1, n. 31.
Blotell	Worcester	M. F.	Cart., 14 Edw. 1, n. 38.	Langw'ah	Lincoln	M. F.	Cart., 19 Edw. 1, n. 34.
Brandesborton	York	M. F.	Cart., 14 Edw. 1, n. 40.	Chastell Hole- god.	Salop	M. F.	Cart., 19 Edw. 1, n. 44.
Eversett	-	M. F.	Cart., 14 Edw. 1, n. 41.	Pickering Es- ingwald.	York	F.	Cart., 19 Edw. 1, n. 45.
Heselbere	Somerset	M. F.	Cart., 14 Edw. 1, n. 42.	Lydyed.	Somerset	M. F.	Cart., 19 Edw. 1, n. 46.
Wodebir	Devon	M. F.	Cart., 14 Edw. 1, n. 44.	Westbury	Wilts	M. F.	Cart., 19 Edw. 1, n. 47.
Cardoneak	Ireland	M. F.	Cart., 14 Edw. 1, n. 46.	Geynesborgh	Lincoln	F.	Cart., 20 Edw. 1, n. 1.
Kikeham	-	M. F.	Cart., 14 Edw. 1, n. 9 d.	Erverbye	Leicester	M. F.	Cart., 20 Edw. 1, n. 5.
Leigge Canoni- corum.	Devon	M.	Cart., 17 Edw. 1, n. 5.	Aldermanston	Berks	M. F.	Cart., 20 Edw. 1, n. 9.
Borham	Essex	M. F.	Cart., 17 Edw. 1, n. 1.	Haliwell	Wales	M. F.	Cart., 20 Edw. 1, n. 14.
Ginge Atteston	-	M. F.	Cart., 17 Edw. 1, n. 2.	Aulescomb	Devon	M. F.	Cart., 20 Edw. 1, n. 15.
Compton juxta Dunden.	Somerset	M. F.	Cart., 17 Edw. 1, n. 4.	Mountstorrell	Leicester	M. F.	Cart., 20 Edw. 1, n. 17.
Walton	Suffolk	M. F.	Cart., 17 Edw. 1, n. 10.	Strete	Devon	M. F.	Cart., 20 Edw. 1, n. 19.
Braithwell	York	M. F.	Cart., 17 Edw. 1, n. 12.	Polruam	Cornwall	M. F.	Cart., 20 Edw. 1, n. 24.
Warrewick	Warwick	F.	Cart., 18 Edw. 1, n. 12.	Benhole	Suffolk	M. F.	Cart., 20 Edw. 1, n. 25.
Booland Bruere	-	M. F.	Cart., 18 Edw. 1, n. 13.	Carow Kardi- gau	Wales	M. F.	Cart., 20 Edw. 1, n. 30.
Brodehembr'	-	M. F.	Cart., 18 Edw. 1, n. 13.	Aston	Stafford	M. F.	Cart., 20 Edw. 1, n. 35.
Chetwode	Devon	F.	Cart., 18 Edw. 1, n. 14.	Clopton	Cambridge	M. F.	Cart., 20 Edw. 1, n. 34.
Aldringham	-	M. F.	Cart., 18 Edw. 1, n. 16.	Knebworth	Herts	F.	Cart., 20 Edw. 1, n. 34.
Levenham	Suffolk	F.	Cart., 18 Edw. 1, n. 18.	Felstede	Essex	M. F.	Cart., 20 Edw. 1, n. 36.
Sandwich	Kent	F.	Cart., 18 Edw. 1, n. 19.	Werthrinian	Wales	M. F.	Cart., 20 Edw. 1, n. 46.
Mereworth	-	M. F.	Cart., 18 Edw. 1, n. 21.	Westhaddon	Northampton	M. F.	Cart., 20 Edw. 1, n. 50.
Goldolive	Wales	F.	Cart., 18 Edw. 1, n. 44.	Saleby	Lincoln	M.	Cart., 20 Edw. 1, n. 54.
Peningshalt	York	M. F.	Cart., 18 Edw. 1, n. 50.	Brighenhale	York	M. F.	} Cart., 20 Edw. 1, n. 59.
St. James, Westm.	Middlesex	F.	Cart., 18 Edw. 1, n. 52.	Cliffe	-	M. F.	
Abenden	Berks	F.	Cart., 18 Edw. 1, n. 53.	Sissalaund	Norfolk	M. F.	} Cart., 20 Edw. 1, n. 59.
Deveneber	Devon	M. F.	Cart., 18 Edw. 1, n. 54.	Ladnes	-	F.	
Colf Ely	-	M. F.	Cart., 18 Edw. 1, n. 57.	Ketelbergh	Suffolk	M. F.	Cart., 20 Edw. 1, n. 59.
Stony Stratford	Bucks	F.	Cart., 18 Edw. 1, n. 58.	Grenham	Lincoln	M. F.	Cart., 20 Edw. 1, n. 59.
Stapelbrig	Dorset	M. F.	Cart., 18 Edw. 1, n. 66.	Keyneylork	Wales	M. F.	Cart., 20 Edw. 1, n. 67.
Farnbergh	Kent	M. F.	Cart., 18 Edw. 1, n. 71.	Alecester	Warwick	F.	Cart., 21 Edw. 1, n. 4.
Chelesford				Whitewick	Leicester	M. F.	Cart., 21 Edw. 1, n. 9.
Thurstenston	Suffolk	M. F.	Cart., 18 Edw. 1, n. 72.	Noun	Suffolk	M. F.	} Cart., 21 Edw. 1, n. 10.
Multon	Lincoln	M. F.	Cart., 18 Edw. 1, n.	Halesworth	-	M. F.	
Nova Mota	Wales	F.	Cart., 18 Edw. 1, n. 74.	Wrightebald	Lincoln	F.	Cart., 21 Edw. 1, n. 12.
Bereghnon	-	M. F.	Cart., 18 Edw. 1, n. 74.	Borneston	Gloucester	M. F.	Cart., 21 Edw. 1, n. 19.
Tratlan	-	F.	Cart., 18 Edw. 1, n. 74.	Tamerton Foliet	Devon	M. F.	Cart., 21 Edw. 1, n. 20.
Landon	-	F.	Cart., 18 Edw. 1, n. 74.	Royndon	Essex	M. F.	Cart., 21 Edw. 1, n. 22.
Lantefey	-	F.	Cart., 18 Edw. 1, n. 74.	Hamslappe	Buckingham	M. F.	Cart., 21 Edw. 1, n. 25.
Claxumb	-	M. F.	Cart., 18 Edw. 1, n. 74.	St. Ives, Hunt- ington.	-	M.	Cart., 21 Edw. 1, n. 26.
Penbydrank	-	M. F.	Cart., 18 Edw. 1, n. 74.	Bures	Essex	M. F.	Cart., 21 Edw. 1, n. 31.
Lannhangoll	-	F.	Cart., 18 Edw. 1, n. 74.	Staundon	Hereford	M. F.	Cart., 21 Edw. 1, n. 20.
Landogi	-	F.	Cart., 18 Edw. 1, n. 74.	Depontefracto	York	M. F.	Cart., 22 Edw. 1, n. 23.
Lantelan.	-	F.	Cart., 18 Edw. 1, n. 74.	Bradeford			Cart., 22 Edw. 1, n. 23.
Aberaly	-	F.	Cart., 18 Edw. 1, n. 74.	Camsale			Cart., 22 Edw. 1, n. 23.
Wellesborne	-	M. F.	Cart., 18 Edw. 1, n. 75.	Slaghtborne			Cart., 22 Edw. 1, n. 23.
Ceggeworth	Leicester	M. F.	Cart., 18 Edw. 1, n. 76.	Almanbir			Cart., 22 Edw. 1, n. 23.
Hause	Somerset	M.	Cart., 18 Edw. 1, n. 70.	Brumley	Lancaster	M. F.	Cart., 23 Edw. 1, n. 23.
Cranbrock	Kent	M.	Cart., 18 Edw. 1, n. 93.	Cherleton Camuill.	Somerset	M. F.	Cart., 23 Edw. 1, n. 23.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Weybridge	Middlesex	M. F.	Cart., 22 Edw. 1, n. 23.	Yateminster	Dorset	M. F.	} Cart., 28 Edw. 1, n. 24.
Middlelinton	Oxford	M. F.	Cart., 23 Edw. 1, n. 23.	Shireborne	-	M.	
Duffield	York	M. F.	Cart., 22 Edw. 1, n. 28.	Barnesbury	Wilts	M.	} Cart., 28 Edw. 1, n. 24.
Multon	Lincoln	F.	Cart., 22 Edw. 1, n. 29.	Godalming	-	M. F.	
Val Rodwalles	Wales	M. F.	Cart., 22 Edw. 1, n. 33.	Chiddingfold.	Stafford	M. F.	} Cart., 28 Edw. 1, n. 30.
Moghhen	-	M. F.	Cart., 22 Edw. 1, n. 34.	Yayhale	-	M. F.	
Baltrey	York	M.	Cart., 22 Edw. 1, n. 39.	Higham	Northampton	M. F.	} Cart., 28 Edw. 1, n. 33.
Merwode	Devon	F.	Cart., 22 Edw. 1, n. 40.	Skipton in Craven.	York	M. F.	
Bello Loco	Bedford	F.	Cart., 23 Edw. 1, n. 45.	Burowell	Lincoln	M.	Cart., 28 Edw. 1, n. 34.
Norton	Somerset	F.	Cart., 23 Edw. 1, n. 48.	Eskelby	York	M. F.	Cart., 28 Edw. 1, n. 35.
Bolewky	Northampton	M. F.	Cart., 22 Edw. 1, n. 49.	Helm'ton	Wilts	F.	Cart., 28 Edw. 1, n. 40.
Carleton	Suffolk	M. F.	Cart., 23 Edw. 1, n. 2.	Hedon	York	F.	Cart., 28 Edw. 1, n. 41.
Hadenham	Buckingham	M. F.	Cart., 23 Edw. 1, n. 7.	Holme	York	M. F.	Cart., 29 Edw. 1, n. 3.
Peynton	Devon	M. F.	} Cart., 23 Edw. 1, n. 13.	Hacche	Somerset	M. F.	Cart., 29 Edw. 1, n. 4.
Barnstaple	-	M. F.		Fayeflete	York	M. F.	Cart., 29 Edw. 1, n. 28.
Northburgh	Northampton	M. F.	Cart., 23 Edw. 1, n. 14.	Piddilton	Dorset	M. F.	Cart., 29 Edw. 1, n. 33.
Aldelym	Chester	M. F.	Cart., 23 Edw. 1, n. 15.	Skytebrok	Lincoln	M. F.	Cart., 29 Edw. 1, n. 34.
Waldene	Essex	M.	Cart., 23 Edw. 1, n. 16.	Newton in Makerfeld.	Lancaster	M. F.	} Cart., 29 Edw. 1, n. 45.
Hemmygburgh	York	M. F.	Cart., 23 Edw. 1, n. 19.	Waleton in ye Dale.	-	M. F.	
Lyng	Norfolk	F.	Cart., 23 Edw. 1, n. 20.	Sallowe	Derby	M. F.	Cart., 29 Edw. 1, n. 47.
Wirkesope	Nottingham	M. F.	Cart., 24 Edw. 1, n. 3.	Impeton	Kent	M. F.	Cart., 29 Edw. 1, n. 48.
Sheffield	York	M. F.	Cart., 24 Edw. 1, n. 3.	Filungeley	Warwick	M. F.	Cart., 29 Edw. 1, n. 49.
Naute	Cornwall	M. F.	Cart., 24 Edw. 1, n. 8.	Gatanges	Sussex	M. F.	Cart., 29 Edw. 1, n. 50.
Kelne	Somerset	M. F.	Cart., 24 Edw. 1, n. 9.	Levenhales	Hereford	M. F.	Cart., 29 Edw. 1, n. 51.
Perers	-	M. F.	Cart., 24 Edw. 1, n. 9.	Upton	Norfolk	M. F.	Cart., 30 Edw. 1, n. 4.
Saleby	Lincoln	M.	Cart., 24 Edw. 1, n. 18.	Gloucester Burgus.	Gloucester	F.	Cart., 30 Edw. 1, n. 11.
Beer	Devon	M. F.	Cart., 24 Edw. 1, n. 22.	Okeley	Surrey	M. F.	Cart., 31 Edw. 1, n. 15.
Hundeslow	Middlesex	M. F.	Cart., 24 Edw. 1, n. 21.	Alcestr.	Warwick	F.	Cart., 31 Edw. 1, n. 16.
Lucham	Norfolk	M. F.	Cart., 25 Edw. 1, n. 1.	Clifton sup. Dertmouth.	Devon	M. F.	Cart., 31 Edw. 1, n. 19.
Alnewyke	Northumber-land.	M. F.	Cart., 25 Edw. 1, n. 3.	Ashe	Kent	M. F.	} Cart., 31 Edw. 1, n. 21.
Ferrenthe	Sussex	M. F.	Cart., 25 Edw. 1, n. 12.	Wodinton	Surrey	F.	
Draicote	Stafford	M. F.	Cart., 25 Edw. 1, n. 14.	Tuierington	York	M. F.	Cart., 31 Edw. 1, n. 21.
Letheringham	Suffolk	F.	Cart., 25 Edw. 1, n. 19.	Watlington	Oxford	M.	Cart., 31 Edw. 1, n. 22.
Westbury	Wilts	M. F.	Cart., 25 Edw. 1, n. 20.	Sagam Baire	Suffolk	M. F.	Cart., 31 Edw. 1, n. 23.
Muleton	Suffolk	M.	Cart., 26 Edw. 1, n. 2.	St. Brian	Cornwall	M. F.	Cart., 31 Edw. 1, n. 26.
Withford	Wilts	M. F.	Cart., 26 Edw. 1, n. 4.	Marom	Lincoln	M. F.	Cart., 31 Edw. 1, n. 27.
Netherwere	Somerset	M. F.	Cart., 26 Edw. 1, n. 6.	Fynmoure in Com. Trygg.	} Ireland	M. F.	} Cart., 31 Edw. 1, n. 38.
Westminster	Middlesex	F.	Cart., 26 Edw. 1, n. 7.	Lyn in Com. Mitre.		M. F.	
Talgath	Wales	M. F.	Cart., 26 Edw. 1, n. 10.	Oagodby	York	M. F.	Cart., 31 Edw. 1, n. 41.
Swyneshened	Lincoln	F.	Cart., 26 Edw. 1, n. 11.	Eukeston	Lancaster	M. F.	Cart., 31 Edw. 1, n. 49.
Rym	Dorset	M. F.	Cart., 26 Edw. 1, n. 12.	Newenham	Kent	M. F.	Cart., 31 Edw. 1, n. 1.
Pokelington	York	M. F.	Cart., 27 Edw. 1, n. 1.	Gidding	Huntingdon	M. F.	Cart., 31 Edw. 1, n. 4.
Burton	Chester	M. F.	Cart., 27 Edw. 1, n. 9.	Bradmere	Wilts	M.	Cart., 31 Edw. 1, n. 7.
Tottele	Lincoln	M. F.	Cart., 27 Edw. 1, n. 11.	Westhamelesworth.	Devon	F.	Cart., 31 Edw. 1, n. 7.
Attonnagh	Ireland	M. F.	Cart., 27 Edw. 1, n. 12.	Shottele	Suffolk	M. F.	Cart., 31 Edw. 1, n. 12.
Saham	Norfolk	M. F.	Cart., 27 Edw. 1, n. 13.	Sledmere	York	M. F.	Cart., 31 Edw. 1, n. 14.
Flamstede	Hereford	M. F.	Cart., 27 Edw. 1, n. 13.	Stoke Atteneylund.	Suffolk	M. F.	Cart., 31 Edw. 1, n. 17.
Castr'	Hereford	M. F.	Cart., 27 Edw. 1, n. 13.	Poklington	York	M. F.	Cart., 31 Edw. 1, n. 23.
Zeke Tony	Devon	M. F.	Cart., 27 Edw. 1, n. 13.	Albrighton	Salop	M. F.	Cart., 31 Edw. 1, n. 24, 25.
Korneteby	York	M. F.	Cart., 27 Edw. 1, n. 14.	Enefeld	Middlesex	M. F.	Cart., 31 Edw. 1, n. 33.
Crofte	-	M. F.	Cart., 27 Edw. 1, n. 28.	Calne	Wilts	M. F.	Cart., 31 Edw. 1, n. 35.
Sutton maga	Wilts	M. F.	Cart., 27 Edw. 1, n. 34.	Halughate	Norfolk	M. F.	Cart., 31 Edw. 1, n. 42.
Diste	Norfolk	F.	Cart., 28 Edw. 1, n. 1.	Keynesham	Somerset	M. F.	Cart., 31 Edw. 1, n. 43.
Sibertoste	Northampton	M. F.	Cart., 28 Edw. 1, n. 6.	Alerinton	Gloucester	M. F.	Cart., 32 Edw. 1, n. 1.
Whethull	Salop	M. F.	Cart., 28 Edw. 1, n. 9.	Coolinton	Somerset	M. F.	} Cart., 32 Edw. 1, n. 3.
Sutton	Warwick	M. F.	Cart., 28 Edw. 1, n. 10.	Westaur	-	M.	
Melmorby	Cumberland	M. F.	Cart., 28 Edw. 1, n. 11.	Lyncumbe	-	F.	Cart., 32 Edw. 1, n. 5.
Mosehole	Cornwall	M. F.	Cart., 28 Edw. 1, n. 13.	Berton	-	-	} Cart., 32 Edw. 1, n. 10.
Toppesham	Devon	M. F.	} Cart., 28 Edw. 1, n. 15.	Wormhale	Buckingham	M. F.	
Koneford	-	F.		Lathom	} Lancaster	M. F.	Cart., 32 Edw. 1, n. 12.
				Robye			

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Tynemouth	Northumber- land.	F.	Cart., 32 Edw. 1, n. 14.	Benyngton	Herts	M. F.	Cart., 33 Edw. 1, n. 75.
Estdeeping	Lincoln	M. F.	Cart., 32 Edw. 1, n. 16.	Kingeston	Cambridge	M. F.	Cart., 34 Edw. 1, n. 3.
Staweys	Somerset	M. F.	Cart., 32 Edw. 1, n. 19.	Swynerton	Stafford	M. F.	Cart., 34 Edw. 1, n. 4.
Hale	Lancaster	M. F.	Cart., 32 Edw. 1, n. 23.	Rothelo, translat. usque Gaddesby	Leicester	M. F.	Cart., 34 Edw. 1, n. 8.
Melewith	Stafford	M. F.	Cart., 32 Edw. 1, n. 29, 30.	Saunfor J. Bret	Somerset	M. F.	Cart., 34 Edw. 1, n. 9.
Bradewey	Somerset	M. F.	Cart., 32 Edw. 1, n. 31.	Whitstanton	Salop	M. F.	Cart., 34 Edw. 1, n. 14, 15.
Tortworth	Gloucester	M. F.	Cart., 32 Edw. 1, n. 33.	Catmere	Berks	M. F.	Cart., 34 Edw. 1, n. 16.
Halyhton	Leicester	M. F.	Cart., 32 Edw. 1, n. 43.	Dilnton	Somerset	M. F.	Cart., 34 Edw. 1, n. 21.
Fillingham	Lincoln	M. F.	Cart., 32 Edw. 1, n. 44.	Kingeston	Hertford	M. F.	} Cart., 34 Edw. 1, n. 23.
Herdwik	Norfolk	M. F.	Cart., 32 Edw. 1, n. 46.	Radnoro	-	F.	
Cheeswarthin	Salop	M. F.	Cart., 32 Edw. 1, n. 45.	Northholme juxta Eye.	Northampton	M. F.	Cart., 34 Edw. 1, n. 36.
Clopton	Suffolk	M. F.	Cart., 32 Edw. 1, n. 51.	Wirkeworth	Derby	M. F.	Cart., 34 Edw. 1, n. 37.
Speldeford	Leicester	M. F.	Cart., 32 Edw. 1, n. 53.	Pykehall	York	M. F.	Cart., 35 Edw. 1, n. 2.
Thurkeleston	Hants	M. F.	Cart., 32 Edw. 1, n. 55.	Harpele	Norfolk	M. F.	Cart., 35 Edw. 1, n. 6.
Bathemesworth	Dorset	M. F.	Cart., 32 Edw. 1, n. 55.	Worteley	York	M. F.	Cart., 35 Edw. 1, n. 12.
Tacolnestad	Norfolk	M. F.	Cart., 32 Edw. 1, n. 64.	Roderham	York	M. F.	Cart., 35 Edw. 1, n. 19.
Bourhunt	Hants	M. F.	Cart., 32 Edw. 1, n. 65.	Hantwisill in Tyndale.	Northumber- land.	M. F.	Cart., 35 Edw. 1, n. 24.
Wymondham	Leicester	M. F.	Cart., 32 Edw. 1, n. 75.	Burton in Loveedale.	York	M. F.	Cart., 35 Edw. 1, n. 30.
Synelinton	York	M. F.	Cart., 33 Edw. 1, n. 80.	Kirkeby Male- zart.	-	M. F.	Cart., 35 Edw. 1, n. 30.
Eseling	Kent	M. F.	Cart., 32 Edw. 1, n. 81.	Preston juxta Wengham.	Kent	M. F.	Cart., 35 Edw. 1, n. 40.
Ermington	Devon	M. F.	Cart., 32 Edw. 1, n. 84, 85.	Aberford	York	M. F.	Cart., 35 Edw. 1, n. 45.
Middelton	Hants	M. F.	Cart., 32 Edw. 1, n. 86.	Estwilton	-	M. F.	Cart., 35 Edw. 1, n. 46.
Wormhale	Buckingham	M. F.	Cart., 32 Edw. 1, n. 87.	Wandesle	-	M. F.	Cart., 35 Edw. 1, n. 47.
Panchalejuxta Sidelord.	York	M. F.	Cart., 32 Edw. 1, n. 91.	Everton	Huntingdon	M. F.	Cart., 35 Edw. 1, n. 48.
Wandesford			Cart., 32 Edw. 1, n. 91.	Brainford	Middlesex	M. F.	Cart., 35 Edw. 1, n. 49.
Louthorp			Cart., 32 Edw. 1, n. 91.	Tacolneston	Norfolk	M. F.	Cart., 35 Edw. 1, n. 50.
Heeslerton	-	M.	Cart., 32 Edw. 1, n. 91.	Arcwret	Cumberland	M. F.	Cart., 35 Edw. 1, n. 51.
Liditon	Dorset	M. F.	Cart., 32 Edw. 1, n. 94.	Houton	Suffolk	M. F.	Cart., 35 Edw. 1, n. 52.
Wapham	Sussex	M. F.	Cart., 32 Edw. 1, n. 98.	Prez	Salop	M.	} Cart., 35 Edw. 1, n. 57.
Cokewald	York	M. F.	Cart., 32 Edw. 1, n. 99.	Lichfeld	Stafford	F.	
Weston	Bedford	M. F.	Cart., 32 Edw. 1, n. 106.	Blanesford	Dorset	F.	Cart., 35 Edw. 1, n. 5.
Birmingham	Norfolk	M. F.	Cart., 32 Edw. 1, n. 107.	Sabrightes- worth.	Herts	M. F.	Cart., 35 Edw. 1, n. 71.
Theydone	Essex	M. F.	Cart., 33 Edw. 1, n. 3.	Wardon	Bedford	M. F.	Cart., 1 Edw. 2, n. 8.
Keighlay	York	M. F.	Cart., 33 Edw. 1, n. 7.	Ardmolthau	Wales	M. F.	Cart., 1 Edw. 2, n. 10.
Waynflete	Kent	M. F.	Cart., 33 Edw. 1, n. 13.	Tarent Gun- devill.	Dorset	M. F.	Cart., 1 Edw. 2, n. 16.
Thetrewaure	Warwick	M. F.	Cart., 33 Edw. 1, n. 15, 63.	Preston	Sussex	M. F.	Cart., 1 Edw. 2, n. 23.
Wolsey			Cart., 33 Edw. 1, n. 15, 63.	Leicester	Leicester	F.	Cart., 1 Edw. 2, n. 26.
Newenham Parva.			Cart., 33 Edw. 1, n. 15, 63.	Folkingham	Lincoln	M. F.	Cart., 1 Edw. 2, n. 28, 31.
Kerkely			Cart., 33 Edw. 1, n. 15, 63.	Barton sup. Humber.			Cart., 1 Edw. 2, n. 28, 3.
Neubolt			Cart., 33 Edw. 1, n. 15, 63.	Edenham			Cart., 1 Edw. 2, n. 28, 31.
Paulton			Cart., 33 Edw. 1, n. 15, 63.	Penyngesale	York	M. F.	Cart., 1 Edw. 2, n. 37.
Herdebergh			Cart., 33 Edw. 1, n. 15, 63.	Bastildene	Berks	M. F.	} Cart., 2 Edw. 2, n. 1.
Walton			Cart., 33 Edw. 1, n. 15, 63.	Asshamsted			
Weyley			Cart., 33 Edw. 1, n. 15, 63.	Godynestre	Essex	M. F.	Cart., 2 Edw. 2, n. 2.
Ryburgh	Norfolk	M. F.	Cart., 33 Edw. 1, n. 18.	Shipham	Somerset	M. F.	Cart., 2 Edw. 2, n. 13.
Carall	Scotland	M. F.	Cart., 33 Edw. 1, n. 24, 25, 61.	Torpell	Northumber- land.	M. F.	Cart., 2 Edw. 2, n. 14.
Milton	Northampton	M. F.	} Cart., 33 Edw. 1, n. 28.	Kilpeck	Hereford	M. F.	Cart., 2 Edw. 2, n. 16.
Billingsford	Norfolk	M. F.		Bradelegh	Devon	2 F.	Cart., 2 Edw. 2, n. 17.
Gerbethorp translat. usque Crull.	Lincoln	2 F. M. F. confir.	Cart., 33 Edw. 1, n. 43.	Salop Villa	Salop	F. mutat.	Cart., 2 Edw. 2, n. 21.
Bolum	Northumber- land.	M. F.	Cart., 33 Edw. 1, n. 46.	Stralford sup. Avene.	Warwick	M. F.	Cart., 2 Edw. 2, n. 24.
Spillesby	Lincoln	M. F.	} Cart., 33 Edw. 1, n. 50.	Roderham	York	M. F.	Cart., 2 Edw. 2, n. 25.
Skidbroke				Lanneyr	Wales	M. F.	Cart., 2 Edw. 2, n. 38.
Swinflet	York	M. F.	Cart., 33 Edw. 1, n. 52.	Uttohantr	Stafford	M. F.	} Cart., 2 Edw. 2, n. 39.
Kircalden	Scotland	M. F.	Cart., 33 Edw. 1, n. 53.	Stapelford	Leicester	M. F.	
Coldingham	-	M. F.	Cart., 33 Edw. 1, n. 55.	Podringey	Northampton	M. F.	Cart., 2 Edw. 2, n. 40, 44.
Kirpby	Norfolk	M. F.	Cart., 33 Edw. 1, n. 59.	Swaffham	Norfolk	2 F.	Cart., 2 Edw. 2, n. 40, 44.
Tychmersh	Northampton	M. F.	Cart., 33 Edw. 1, n. 66.	Leistoft	Suffolk	M. F.	Cart., 2 Edw. 2, n. 40, 44.
Woleweston	Huntingdon	M. F.	Cart., 33 Edw. 1, n. 67.	De Sco. Bo- tulfo.	Lincoln	M.	Cart., 2 Edw. 2, n. 40, 44.
Bareweford	Northumber- land.	M. F.	Cart., 33 Edw. 1, n. 72.	Kirkton in Holland.			Cart., 2 Edw. 2, n. 40, 44.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Batdeeping	-	M. F.	Cart., 2 Edw. 2, n. 41.	Leyston	Suffolk	M. F.	Cart., 6 Edw. 2, n. 51.
Brunne	Alia	F.	Cart., 2 Edw. 2, n. 48.	Pencrich	Stafford	F.	Cart., 6 Edw. 2, n. 57.
Drakehull mons. juxta Guilford.	Surrey	F.	Cart., 2 Edw. 2, n. 49.	Wath	York	M. F.	Cart., 6 Edw. 2, n. 59.
Sutton sup. Trent.	Nottingham	M. F.	Cart., 2 Edw. 2, n. 52.	Castelleteroll	Cornwall	M. F.	} Cart., 6 Edw. 2, n. 64.
Newbigging	Northumber- land.	M. F.	Cart., 3 Edw. 2, n. 1.	Boswythy	-	M. F.	
Boghes	York	M. F.	Cart., 3 Edw. 2, n. 1.	Reygate	Surrey	M.	Cart., 6 Edw. 2, n. 66.
Burghersh	}	M. F.	Cart., 3 Edw. 2, n. 1.	Stanygad	Lincoln	M. F.	Cart., 6 Edw. 2, n. 67.
Bulewarbeth				Oukefeld	Sussex	M. F.	Cart., 6 Edw. 2, n. 68.
Holte	Norfolk	M. F.	} Cart., 3 Edw. 2, n. 3.	Dicheneningh		M. F.	Cart., 6 Edw. 2, n. 68.
Oley	Norfolk	F.		Brightelmeston. Hurst		M. F.	Cart., 6 Edw. 2, n. 68.
Stoke in Tin- hide.	Devon	M. F.	Cart., 3 Edw. 2, n. 4.	Westmeston		F.	Cart., 6 Edw. 2, n. 68.
Severnostoke	Worcester	M. F.	Cart., 3 Edw. 2, n. 11.	Porteslade	F.	Cart., 6 Edw. 2, n. 68.	
Coue	Suffolk	F.	Cart., 3 Edw. 2, n. 15.	Bradwater	Sussex	M. F.	Cart., 6 Edw. 2, n. 68.
Mumby	Lincoln	M. F.	Cart., 3 Edw. 2, n. 15.	Suthcave	York	M. F.	Cart., 7 Edw. 2, n. 5.
Tateshale	-	F.	Cart., 3 Edw. 2, n. 16.	Saham	Suffolk	M. F.	Cart., 7 Edw. 2, n. 11.
Shire	Surrey	M. F.	Cart., 3 Edw. 2, n. 19.	Pole	Wales	M. F.	Cart., 7 Edw. 2, n. 12.
Aspton	Devon	M. F.	Cart., 3 Edw. 2, n. 21.	Maghenth- leyth.			
Chuddelegh			Cart., 3 Edw. 2, n. 21.	Oldwhitland	Wales	M. F.	Cart., 7 Edw. 2, n. 13.
Clifte			Cart., 3 Edw. 2, n. 21.	Ricolure	Kent	M. F.	Cart., 7 Edw. 2, n. 16.
Cwydyton			Cart., 3 Edw. 2, n. 21.	Retford	Nottingham	F.	Cart., 7 Edw. 2, n. 26.
Stradbroke	Suffolk	F.	Cart., 3 Edw. 2, n. 22.	Aspton	Devon	F.	Cart., 7 Edw. 2, n. 33.
Lakyngbeth	-	M. F.	Cart., 3 Edw. 2, n. 29, 30.	Duffeld	York	F.	Cart., 7 Edw. 2, n. 42.
Swaffham	Kent	M. F.	Cart., 3 Edw. 2, n. 29, 30.	Pevensse	Sussex	mutat. F. 7 dierum.	Cart., 7 Edw. 2, n. 45.
Kirkeby in Kendale.	Westmoreland	M. F.	Cart., 3 Edw. 2, n. 32.	Warke	York	M.	Cart., 7 Edw. 2, n. 50.
Makeleston	Stafford	M. F.	Cart., 3 Edw. 2, n. 37.	Malcombe	Dorset	M. F.	Cart., 8 Edw. 2, n. 9.
Thomor	York	M. F.	Cart., 4 Edw. 2, n. 2.	Pageham	Sussex	M. F.	Cart., 8 Edw. 2, n. 10.
Reydon	Suffolk	M. F.	Cart., 4 Edw. 2, n. 18.	Estlenente		F.	Cart., 8 Edw. 2, n. 10.
Whitchurgh	Dorset	M. F.	} Cart., 4 Edw. 2, n. 19.	Tanghemore		M. F.	Cart., 8 Edw. 2, n. 10.
Fromton sup. Severne.	Westmoreland	M. F.		Slyndon		M. F.	Cart., 8 Edw. 2, n. 10.
Bethum		Cart., 4 Edw. 2, n. 21.	Manfeld	Sussex	M. F.	Cart., 8 Edw. 2, n. 10.	
Chippenham	Wilts	F.	Cart., 4 Edw. 2, n. 22.		Lambherst	M. F.	Cart., 8 Edw. 2, n. 10.
Appeltrewick	York	F.	Cart., 4 Edw. 2, n. 27.		Fremsfeild	F.	Cart., 8 Edw. 2, n. 10.
Mersham	Derby	M. F.	Cart., 4 Edw. 2, n. 30.	Harewe	Middlesex	M. F.	Cart., 8 Edw. 2, n. 10.
Crauncewik	York	M. F.	Cart., 4 Edw. 2, n. 28.	Trumpeton	Cambridge	F.	Cart., 8 Edw. 2, n. 14.
Sherle	Leicester	M. F.	Cart., 4 Edw. 2, n. 36.	Croydon	Surrey	M. F.	Cart., 8 Edw. 2, n. 15.
Saxmondham	Suffolk	M. F.	Cart., 4 Edw. 2, n. 38.	Wrotham	Kent		
Wetringbury	Kent	M. F.	Cart., 4 Edw. 2, n. 42.	Bedgell	Ireland	M. F.	Cart., 8 Edw. 2, n. 24.
Eppreston	Nottingham	M. F.	Cart., 4 Edw. 2, n. 44.	Bitleseden	Buckingham	M. F.	Cart., 8 Edw. 2, n. 32.
Attelburgh	Norfolk	F.	} Cart., 4 Edw. 2, n. 45.	Burton Stather	Lincoln	M. F.	Cart., 8 Edw. 2, n. 39.
Foyton	Cambridge	F.		Pokerich	Herts	M. F.	Cart., 8 Edw. 2, n. 44.
Gayrstrange	Lancaster	M. F.	Cart., 4 Edw. 2, n. 59.	Singlesthorn	York	F.	Cart., 8 Edw. 2, n. 45.
Patrington	York	M. F.	Cart., 4 Edw. 2, n. 64.	Yerlington	Somerset	M. F.	Cart., 8 Edw. 2, n. 47.
Guthereston	Norfolk	F.	Cart., 4 Edw. 2, n. 66.	Chedesey		M. F.	Cart., 8 Edw. 2, n. 47.
Kelnedon	Essex	M. F.	Cart., 5 Edw. 2, n. 6, 13.	Thurlebere	}	F.	Cart., 8 Edw. 2, n. 47.
Shafford	Bedford	M. F.	Cart., 5 Edw. 2, n. 10.	Bingham	Nottingham	M. F.	Cart., 8 Edw. 2, n. 54.
Haukehurst	Kent	M. F.	Cart., 5 Edw. 2, n. 15.	Shiriook in Croftilberne.	Cornwall	M. F.	} Cart., 8 Edw. 2, n. 58.
Sutton	Cambridge	M. F.	Cart., 5 Edw. 2, n. 26.	Yardeley	Northampton	M. F.	
Wighton juxta Beverlacom.	York	M. F.	Cart., 5 Edw. 2, n. 39.	Blunham	Bedford	M. F.	} Cart., 8 Edw. 2, n. 59.
Buytom	Wales	M. F.	Cart., 5 Edw. 2, n. 42.	Chippesham	Wilts	M. F.	
Ponton	Cornwall	M. F.	Cart., 5 Edw. 2, n. 41.	Lenne	Norfolk	F. 15 dierum	Cart., 9 Edw. 2, n. 3.
Lawinton			Cart., 5 Edw. 2, n. 41.	Fawe	Cornwall	M. F.	Cart., 9 Edw. 2, n. 16.
Oaergaule			Cart., 5 Edw. 2, n. 41.	Morlegh	Devon	M. F.	Cart., 9 Edw. 2, n. 18.
St. Germaine			Cart., 5 Edw. 2, n. 41.	Olney	Buckingham	F.	Cart., 9 Edw. 2, n. 19.
Penryn	-	F.	Cart., 5 Edw. 2, n. 41.	Watersyde	Sussex	M. F.	Cart., 9 Edw. 2, n. 24.
Aberwryly	Wales	M.	Cart., 6 Edw. 2, n. 10.	Hethfylde			
Chipham	Wilts	F.	Cart., 6 Edw. 2, n. 18.	Corby	Northampton	M. F.	Cart., 9 Edw. 2, n. 29.
Newent	Gloucester	M. F.	Cart., 6 Edw. 2, n. 29.	Roderham	York	M. F.	Cart., 9 Edw. 2, n. 35.
Thorncomb	Devon	M. F.	Cart., 6 Edw. 2, n. 36.	Stanstede	Kent	F.	Cart., 9 Edw. 2, n. 40.
Chepingfacedon	Berks	M.	Cart., 6 Edw. 2, n. 46.	Eygham	-	M. F.	Cart., 9 Edw. 2, n. 42.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Snyterton	Norfolk	M. F.	Cart., 9 Edw. 2, n. 43.	Empingham	Rutland	M. F.	Cart., 12 Edw. 2, n. 49.
Fenstanton	Huntingdon	M. F.	Cart., 9 Edw. 2, n. 45.	Elding	Kent	M. F.	Cart., 12 Edw. 2, n. 50.
Leysson	Suffolk	F.	Cart., 9 Edw. 2, n. 47.	Tonebrugge		F.	Cart., 12 Edw. 2, n. 50.
Biyle	Kent	M. F.	Cart., 9 Edw. 2, n. 49.	Brikhull	Buckingham	M. F.	Cart., 12 Edw. 2, n. 50.
Blaunkenney	Lincoln	M. F.	Cart., 9 Edw. 2, n. 52.	Rotherfeld	Sussex	F.	Cart., 12 Edw. 2, n. 50.
Trengse	Herts	M. F.	Cart., 9 Edw. 2, n. 53.	Netherpeder-	Somerset	M. F.	Cart., 12 Edw. 2, n. 54.
Chileham		M. F.	Cart., 9 Edw. 2, n. 57.	ton. Bekington		M. F.	
Rydelingweld		M. F.	Cart., 9 Edw. 2, n. 57.	Synelesho	Bedford	M. F.	Cart., 12 Edw. 2, n. 57.
Erheth		M. F.	Cart., 9 Edw. 2, n. 57.	Balaham	Kent	M.	Cart., 12 Edw. 2, n. 58.
Leenes	Kent	M. F.	Cart., 9 Edw. 2, n. 57.	Hatfeld	Hereford	M. F.	Cart., 12 Edw. 2, n. 58.
Tonge		F.	Cart., 9 Edw. 2, n. 57.	Thurleby juxta	Lincoln	M. F.	Cart., 12 Edw. 2, n. 59.
Ringeston		F.	Cart., 9 Edw. 2, n. 57.	Brunne.	Berks	M. F.	Cart., 12 Edw. 2, n. 61.
Ringesdonne		F.	Cart., 9 Edw. 2, n. 57.	Yatindon	Warwick	M. F.	Cart., 12 Edw. 2, n. 64.
Bourne	Sussex	M. F.	Cart., 9 Edw. 2, n. 57.	Astath	York	M. F.	Cart., 12 Edw. 2, n. 68.
Suffenhale	Salop	M. F.	Cart., 9 Edw. 2, n. 57.	Cottingham			
Adersley				Tonewstr'	Northampton	F.	Cart., 12 Edw. 2, n. 71, 73.
Castelcomb			Cart., 9 Edw. 2, n. 57.	Birmingham	Norfolk	M. F.	Cart., 12 Edw. 2, n. 78.
Colorne	Wilts	M. F.	Cart., 9 Edw. 2, n. 57.	Erethehe	Huntingdon	M. F.	Cart., 12 Edw. 2, n. 79.
Heghtred-			Cart., 9 Edw. 2, n. 57.	Pinchebeck	Lincoln	M. F.	Cart., 12 Edw. 2, n. 82.
bury.			Cart., 9 Edw. 2, n. 57.	Whetacr'	Norfolk	M. F.	Cart., 12 Edw. 2, n. 83.
Hamelden	Buckingham	M. F.	Cart., 9 Edw. 2, n. 57.	Iuynghe	Buckingham	M. F.	Cart., 12 Edw. 2, n. 84.
Sonyndon	Bedford	M. F.	Cart., 9 Edw. 2, n. 57.	Ubbele	Somerset	M. F.	Cart., 12 Edw. 2, n. 85.
MarketOverton	Rutland	M. F.	Cart., 9 Edw. 2, n. 57.	Littleton	Wilts	M. F.	Cart., 12 Edw. 2, n. 87.
Thackstede		F.	Cart., 9 Edw. 2, n. 57.	Stratton Audele	Oxford	M. F.	Cart., 12 Edw. 2, n. 89.
Assendon	Essex	M. F.	Cart., 9 Edw. 2, n. 57.	Chetewynde	Salop	M. F.	Cart., 12 Edw. 2, n. 91.
Tudington	Bedford	M. F.	Cart., 9 Edw. 2, n. 61.	Chippenham	Wilts	M. F.	Cart., 12 Edw. 2, n. 1.
Tateshale	Lincoln	M. F.	Cart., 9 Edw. 2, n. 62.	Alcester	Warwick	F.	Cart., 12 Edw. 2, n. 4.
			Cart., 10 Edw. 2, n. 21.	Leye in Bote-	Salop	M.	Cart., 12 Edw. 2, n. 5.
Ayshull	Somerset	M. F.	Pat., 16 Ric. 2, pt. 2, m. 9.	wode.			
				Patheley Brig-	York	M. F.	Cart., 12 Edw. 2, n. 7.
Bland	York	M. F.	Cart., 10 Edw. 2, n. 23.	Otteley		F.	Cart., 12 Edw. 2, n. 7.
Thornhill		M. F.	Cart., 10 Edw. 2, n. 24.	Heytildesham	Northampton	F.	Cart., 12 Edw. 2, n. 7.
Thoresway	Lincoln	M. F.	Cart., 10 Edw. 2, n. 31.	Sullyhull	Warwick	M. F.	Cart., 12 Edw. 2, n. 12.
Ambresbury	Wilts	M. F.	Cart., 10 Edw. 2, n. 32.	Bradfeld	Essex	M. F.	Cart., 12 Edw. 2, n. 14.
Coringham	Essex	M. F.	Cart., 10 Edw. 2, n. 37.	Somaham	Huntingdon	M. F.	Cart., 12 Edw. 2, n. 22.
Cokeney	Nottingham	M. F.	Cart., 10 Edw. 2, n. 38.	Brandonferry			
Palingeham	Stafford	M. F.	Cart., 10 Edw. 2, n. 51.	Gontebey	Leicester	M. F.	Cart., 12 Edw. 2, n. 26.
Brembro	Sussex	M. F.	Cart., 10 Edw. 2, n. 54.	Jnneswerk	Cornwall	M. F.	Cart., 12 Edw. 2, n. 28.
Wynelefford	Lincoln	M. F.	Cart., 10 Edw. 2, n. 57.				Cart., 9 Edw. 3, n. 76.
Backwell	Somerset	M.	Cart., 11 Edw. 2, n. 3.	Herewith	Essex	M.	Cart., 12 Edw. 2, n. 29.
Wendoelegh	York	M. F.	Cart., 12 Edw. 2, n. 8.	Leverhales	Hereford	M. F.	Cart., 12 Edw. 2, n. 30.
Huche	Herts	F.	Cart., 11 Edw. 2, n. 11.	Skelton	York	M. F.	Cart., 12 Edw. 2, n. 31.
Neuton	Hants	M. F.	Cart., 11 Edw. 2, n. 19.	De S. Proboin	Cornwall	M. F.	Cart., 14 Edw. 2, n. 1.
Pobbing	Essex	M. F.	Cart., 11 Edw. 2, n. 22.	Wanborne	Norfolk	M. F.	Cart., 14 Edw. 2, n. 7.
Westwickham	Kent	M. F.	Cart., 11 Edw. 2, n. 23.	Payneswick	Gloucester	M. F.	Cart., 14 Edw. 2, n. 9.
Ryburgh	Norfolk	F.	Cart., 11 Edw. 2, n. 26.	Lyngse	Norfolk	M. F.	Cart., 14 Edw. 2, n. 13.
Thlanpeder	Wales	M.	Cart., 11 Edw. 2, n. 32.	Aulton	Hants	F.	Cart., 14 Edw. 2, n. 15.
Shepton Mallet	Somerset	M. F.	Cart., 11 Edw. 2, n. 35, 36.	Somiton	Somerset	F.	Cart., 14 Edw. 2, n. 15.
Bokeland	Devon	M. F.	Cart., 11 Edw. 2, n. 36.	Assanen Villa	Wales	Thol-	Cart., 14 Edw. 2, n. 28.
Olompton.						meta in	
Bymmeagrave	Worcester	M. F.	Cart., 11 Edw. 2, n. 51.	Borton Con-	York	feria	Cart., 15 Edw. 2, n. 30.
Wintringham	Lincoln	M. F.	Cart., 11 Edw. 2, n. 57.	stable.		ibidem.	
Jppelpom	Devon	M. F.	Cart., 11 Edw. 2, n. 58.	Napton	Warwick	M. F.	Cart., 15 Edw. 2, n. 32.
Aldringham		F.	Cart., 12 Edw. 2, n. 1.	Jugeworth	Norfolk	F.	Cart., 15 Edw. 2, n. 34.
Wynfretton	Hereford	M. F.	Cart., 12 Edw. 2, n. 8.	Baunton	Devon	M.	Cart., 15 Edw. 2, n. 35.
Blaunchland	Wales	M. F.	Cart., 12 Edw. 2, n. 8.	Boreford	Oxford	mutat.	Cart., 16 Edw. 2, n. 4.
Redeswell	Essex	M. F.	Cart., 12 Edw. 2, n. 14.	Corymallet	Somerset	F.	Cart., 16 Edw. 2, n. 9.
Middleton	Hants	M. F.	Cart., 12 Edw. 2, n. 18.	Gretham	Lincoln	M. F.	Cart., 16 Edw. 2, n. 10.
Dorthurst	Gloucester	2 F.	Cart., 12 Edw. 2, n. 19.	Up Avene	Wilts	F.	Cart., 17 Edw. 2, n. 2.
Dryfield magna	York	M. F.	Cart., 12 Edw. 2, n. 23.	Sutton juxta	Wales	M. F.	Cart., 17 Edw. 2, n. 6.
Elye	Cambridge	2 F.	Cart., 12 Edw. 2, n. 29.	Lykeling.			
Northburgh	Leicester	M. F.	Cart., 12 Edw. 2, n. 43.	Snyttensfeld	Warwick	M. F.	Cart., 17 Edw. 2, n. 10.
Bondeby	Lincoln	M. F.	Cart., 12 Edw. 2, n. 46.	Teukesbury	Gloucester	F.	Cart., 17 Edw. 2, n. 14.
				Blyburgh	Suffolk	M. F.	Cart., 17 Edw. 2, n. 15.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Pappeworth	Cambridge	F.	Cart. 17 Edw. 2, n. 19.	Burgh	Westmoreland	M. F.	Cart., 4 Edw. 3, n. 33, etc.
Everard		F.	Cart., 17 Edw. 2, n. 19.	Keley	Gloucester	M. F.	Cart., 4 Edw. 3, n. 62, etc.
Foxton		M. F.	Cart., 17 Edw. 2, n. 19.	Berkeley- arnes		M. F.	Cart., 4 Edw. 3, n. 65, etc.
Shepereth		F.	Cart., 17 Edw. 2, n. 19.	Belton	Rutland	M. F.	Cart., 4 Edw. 3, n. 66, etc.
Drosselan	-	M.	Cart., 17 Edw. 2, n. 21.	Eston Bavent-	Suffolk	M. F.	Cart., 4 Edw. 3, n. 66, etc.
Merston	Bedford	M. F.	Cart., 17 Edw. 2, n. 24.	Knaythe	Lincoln	M. F.	Cart., 4 Edw. 3, n. 97.
Tristelkeran	Ireland	M. F.	Cart., 17 Edw. 2, n. 31.	Oswaldestre	Marches of Wales.	F.	Cart., 4 Edw. 3, n. 98.
Heydenbridge	Northumber- land.	M. F.	Cart., 17 Edw. 2, n. 33.	Chepingnorton	Oxford	F.	Cart., 4 Edw. 3, n. 99, etc.
Foxton	Cambridge	M. F.	Cart., 19 Edw. 2, n. 8.	Hynedon	Wilts	F.	Cart., 5 Edw. 3, n. 1.
Wolinge	Warwick	M. F.	Cart., 19 Edw. 2, n. 11.	Stoke Poges	Buckingham	F.	Cart., 5 Edw. 3, n. 3.
Shepperton	Norfolk	M.	Cart., 19 Edw. 2, n. 18.	Album Monas- terium.	Wales	F.	Cart., 5 Edw. 3, n. 6.
Ozeburgh		M.		Norton	Oxford	F.	Cart., 5 Edw. 3, n. 6.
Rokeland	Sussex	M. F.	Cart., 19 Edw. 2, n. 25.	Terlinge	Essex	M. F.	Cart., 5 Edw. 3, n. 15.
Rogate	Sussex	M. F.	Cart., 20 Edw. 2, n. 46.	Wykes	Cambridge	M. F.	Cart., 5 Edw. 3, n. 16.
Offley	Stafford	M. F.	Cart., 1 Edw. 3, n. 46.	Clyne juxta Stonham.	Sussex	M. F.	Cart., 5 Edw. 3, n. 20.
Lobenham	Leicester	2 M. F.	Cart., 1 Edw. 3, n. 40.	Wakefeld	York	F.	Cart., 5 Edw. 3, n. 21.
Pekeriche	Herts	M. F.	Cart., 1 Edw. 3, n. 41.	Stoke	Buckingham	M. F.	Cart., 5 Edw. 3, n. 23.
Offleye	Stafford	M. F.	Cart., 1 Edw. 3, n. 46.	Marghasion	Cornwall	M. F.	Cart., 5 Edw. 3, n. 46.
Newport Pay- nell.	Buckingham	F.	Cart., 1 Edw. 3, n. 57.	Ledrede	Surrey	M. F.	Cart., 5 Edw. 3, n. 47.
Wisebech	Cambridge	F. 20 dies duratur.	Cart., 1 Edw. 3, n. 62.	Treesell	Salop	M. F.	Cart., 5 Edw. 3, n. 52.
Estbrigford	Nottingham	M. F.	Cart., 1 Edw. 3, n. 65.	Aldeburgh	York	M. F.	Cart., 6 Edw. 3, n. 10.
Church Hull	Oxford	M. F.	Cart., 1 Edw. 3, n. 73.	Belton	Rutland	M. F.	Cart., 6 Edw. 3, n. 24, 32.
Oakford Stilling	Dorset	M. F.	Cart., 1 Edw. 3, n. 17.	Pensans	Cornwall	M. F.	Cart., 6 Edw. 3, n. 29.
Topeliff sup. Swale.	York	M. F.	Cart., 1 Edw. 3, n. 90.	Thomertou	Gloucester	M. F.	Cart., 6 Edw. 3, n. 31.
Erlestonham	Suffolk	M. F.	Cart., 1 Edw. 3, n. 22.	Brembre	Sussex	M. F.	Cart., 6 Edw. 3, n. 34.
Lobenham	Leicester	M. F.	Cart., 1 Edw. 3, n. 40.	Knottesford	Chester	M. F.	Cart., 6 Edw. 3, n. 44.
Salop burg	Salop	F.	Cart., 1 Edw. 3, n. 78.	Lalton	Essex	F.	Cart., 6 Edw. 3, n. 46.
Lodelowe	Salop	M. F.	Cart., 2 Edw. 3, n. 17.	Smardene	Kent	M. F.	Cart., 6 Edw. 3, n. 47.
Massham	York	M. F.	Cart., 2 Edw. 3, n. 27.	Sturminst.	Dorset	F.	Cart., 6 Edw. 3, n. 49.
Harlaston	Stafford	M. F.	Cart., 2 Edw. 3, n. 36.	Weston	Somerset	M. F.	Cart., 6 Edw. 3, n. 49.
Mokars	Hereford	M. F.	Cart., 2 Edw. 3, n. 37.	Dichesgate		M. F.	Cart., 6 Edw. 3, n. 49.
Bedale	York	M. F.	Cart., 2 Edw. 3, n. 41.	Wrynton		M. F.	Cart., 6 Edw. 3, n. 49.
Sutton super Trent.	Nottingham	M. F.	Cart., 2 Edw. 3, n. 45.	Merton	Wilts	M.	Cart., 6 Edw. 3, n. 49.
Madanton	Norfolk	M. F.	Cart., 2 Edw. 3, n. 51.	Elham	Kent	F.	Cart., 6 Edw. 3, n. 53.
Northcarlton	Nottingham	M. F.	Cart., 2 Edw. 3, n. 53.	Stoke Puges	Buckingham	F.	Cart., 7 Edw. 3, n. 5, &c.
Bookes	Worcester	M. F.	Cart., 2 Edw. 3, n. 56.	Werke	Northumber- land.	M. F.	Cart., 7 Edw. 3, n. 13.
Dene Magna	Gloucester	M. F.	Cart., 2 Edw. 3, n. 57.	Langford	Devon	M. F.	Cart., 7 Edw. 3, n. 14.
Fretton	Norfolk	M. F.	Cart., 2 Edw. 3, n. 66.	Poukestoake	Dorset	M. F.	Cart., 7 Edw. 3, n. 15.
Trikingham	Lincoln	M. F.	Cart., 2 Edw. 3, n. 76.	Rydreth	Cornwall	M. F.	Cart., 7 Edw. 3, n. 18.
Melborne	Derby	M. F.	Cart., 2 Edw. 3, n. 85.	Columb Magna	Cornwall	M. F.	Cart., 7 Edw. 3, n. 22.
Appelkewike	York	F.	Cart., 2 Edw. 3, n. 88.	Wanborn	Norfolk	M. F. 3	Cart., 7 Edw. 3, n. 28.
Chavalesworth	Derby	M. F.	Cart., 2 Edw. 3, n. 90.	Kerkeby	Westmoreland	M. F.	Cart., 7 Edw. 3, n. 32.
Newerk	Nottingham	M. F.	Cart., 3 Edw. 3, n. 10, 12.	Flore	Northampton	M. F.	Cart., 7 Edw. 3, n. 34.
Bannebury	Oxford	M. F.	Cart., 3 Edw. 3, n. 10, 12.	Wanton	Surrey	M. F.	Cart., 7 Edw. 3, n. 40.
Wygan	Lancaster	M. F.	Cart., 3 Edw. 3, n. 14.	Preecote	Lancaster	M. F.	Cart., 7 Edw. 3, n. 43.
Drayton	Oxford	F.	Cart., 3 Edw. 3, n. 42.	Wintringham	Lincoln	M. F.	Cart., 7 Edw. 3, n. 44.
Dunstone				Wanton	Surrey	M. F.	Cart., 8 Edw. 3, n. 8.
Shingeldwell	Kent	M. F.	Cart., 4 Edw. 3, n. 9.	Hardelegh	Wales	M. F.	Cart., 8 Edw. 3, n. 9.
Turrock	Essex	M. F.	Cart., 4 Edw. 3, n. 10.	Morton	Devon	M. F.	Cart., 8 Edw. 3, n. 13.
Eleford				Heveresham	Westmoreland	M. F.	Cart., 8 Edw. 3, n. 14.
Blyburg	Suffolk	M. F.	Cart., 4 Edw. 3, n. 18, 19.	Hoghton	Buckingham	M. F.	Cart., 8 Edw. 3, n. 15.
Ayngho	Northampton	M. F.		Killum	York	M. F.	Cart., 8 Edw. 3, n. 17.
Halsted	Essex	M. F.	Cart., 4 Edw. 3, n. 32, 33, & 34.	Stepelton	Salop	M. F.	Cart., 8 Edw. 3, n. 20.
Guyting	Gloucester	M. F.	Cart., 4 Edw. 3, n. 40.	Welles	Somerset	M. F.	Cart., 8 Edw. 3, n. 23, &c.
Agham	Lincoln	M. F.	Cart., 4 Edw. 3, n. 42.	Hulleorton	Warwick	M. F.	Cart., 8 Edw. 3, n. 24.
Melford	Suffolk	M. F.	Cart., 4 Edw. 3, n. 43.	Massingham	Norfolk	M. F.	Cart., 8 Edw. 3, n. 31.
Stowe	Gloucester	M. F.	Cart., 4 Edw. 3, n. 45.	Lantrithton	Wales	M. F.	Cart., 8 Edw. 3, n. 32, &c.
Skrine	Middlesex	M. F.	Cart., 4 Edw. 3, n. 46, etc.	Stork	Buckingham	M. F.	Cart., 8 Edw. 3, n. 35.
Bangor	Wales	F.	Cart., 4 Edw. 3, n. 51.	Deneby	Derby	M. F.	Cart., 8 Edw. 3, n. 42.
Bredon	Leicester	F.	Cart., 4 Edw. 3, n. 53.	Wintrington	Lincoln	M. F.	Cart., 8 Edw. 3, n. 45.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Bassingborn -	Cambridge -	M. F.	Cart., 9 Edw. 3, n. 6.	Aber -	Wales -	3 F.	Cart., 13 Edw. 3, n. 14.
Badburgham -	Hertford -	M. F.		Levenhales -	Hereford -	M. F.	Cart., 14 Edw. 3, n. 5.
Chesthunt -	South Wales -	F.		Claxton -	Suffolk -	M. F.	Cart., 14 Edw. 3, n. 9.
Lannadeverye -	Herts -	F.	Cart., 9 Edw. 3, n. 9.	Ford Castr' -	Northampton -	M. F.	Cart., 14 Edw. 3, n. 29.
Watford -	Stafford -	M. F.	Cart., 9 Edw. 3, n. 12.	Blyburgh -	Suffolk -	M. F.	Cart., 14 Edw. 3, n. 34.
Faresley -	South Wales -	M. F.	Cart., 9 Edw. 3, n. 14.	Monyashe -	Derby -	M. F.	Cart., 14 Edw. 3, n. 41.
Lansddourn -	Wales -	M. F.	Cart., 9 Edw. 3, n. 15.	Binbroke -	Lincoln -	M. F.	Cart., 14 Edw. 3, n. 45.
Boughrede -	York -	M. F.	Cart., 9 Edw. 3, n. 20.	Keston -	Huntingdon -	M. F.	Cart., 15 Edw. 3, n. 13.
Abreford -	Devon -	M. F.	Cart., 9 Edw. 3, n. 21.	Maddeley -	Stafford -	M. F.	Cart., 15 Edw. 3, n. 14.
Saunford Pewell.	Lincoln -	M. F.	Cart., 9 Edw. 3, n. 22.	Tysho -	Warwick -	M. F.	Cart., 15 Edw. 3, n. 14.
De La Lee -	Buckingham -	F.	Cart., 9 Edw. 3, n. 28.	Gosberkerk -	Lincoln -	M. F.	Cart., 15 Edw. 3, n. 17.
Dachett -	York -	M. F.	Cart., 9 Edw. 3, n. 31.	Candlesby -	-	M. F.	Cart., 15 Edw. 3, n. 21.
Kerkeby -	Norfolk -	M. F.	Cart., 2 Edw. 3, n. 34.	Aberfro -	Wales -	M. F.	Cart., 16 Edw. 3, n. 5.
Nerford -	Somerset -	F.	Cart., 9 Edw. 3, n. 39.	Wodebrige -	Suffolk -	M. F.	Cart., 16 Edw. 3, n. 9.
Berton -	Cambridge -	M.	Cart., 9 Edw. 3, n. 43.	Wylteford -	Devon -	M. F.	Cart., 16 Edw. 3, n. 11.
Abington -	North Wales -	M. F.	Cart., 9 Edw. 3, n. 55.	Renham -	Essex -	M. F.	Cart., 16 Edw. 3, n. 12.
Lantrithlon -	Cambridge -	M. F.	Cart., 9 Edw. 3, n. 59.	Lee -	-	M. F.	Cart., 17 Edw. 3, n. 5.
Barington -	North Wales -	M. F.	Cart., 9 Edw. 3, n. 69.	Lindfeld -	Sussex -	M. F.	Cart., 17 Edw. 3, n. 7.
Lantrillon -	Cornwall -	M. F.	Cart., 9 Edw. 3, n. 70.	Holecombe -	Devon -	M. F.	Cart., 17 Edw. 3, n. 9.
Shepstall -	Westmoreland -	M. F.	Cart., 2 Edw. 3, n. 71.	Balyogary -	Ireland -	M. F.	Cart., 17 Edw. 3, n. 20.
Stavele Kendale.	Cornwall -	M. F.	Cart., 10 Edw. 3, n. 6, 7.	Norton -	Somerset -	M.	Cart., 17 Edw. 3, n. 22.
Helleston -	Warwick -	M. F.	Cart., 10 Edw. 3, n. 18.	Buttet Ram -	York -	M. F.	Cart., 17 Edw. 3, n. 28.
Tamworth -	Ireland -	M. F.	Cart., 10 Edw. 3, n. 26.	Suthkyme -	Lincoln -	F.	Cart., 17 Edw. 3, n. 29.
Stratheleine -	Kent -	M. F.	Cart., 10 Edw. 3, n. 31.	Pilton juxta Barnstaple.	Devon -	M. F.	Cart., 18 Edw. 3, n. 6.
Tanete -	Middlesex -	M. F.	Cart., 10 Edw. 3, n. 31.	Dalwode -	Dorset -	F.	Cart., 18 Edw. 3, n. 12.
Gillingham -	Stafford -	F.	Cart., 10 Edw. 3, n. 38.	Bassingborn -	Cambridge -	M. F.	Cart., 18 Edw. 3, n. 13.
Pynnore -	Hampshire -	M. F.	Cart., 10 Edw. 3, n. 47.	Badburnham -	-	M.	
Newcastle -	-	M. P.	Cart., 11 Edw. 3, n. 8.	Chesthunt -	Herts -	M.	
Er'este -	-	F.	Cart., 11 Edw. 3, n. 8.	Boughes -	-	M. F.	Cart., 18 Edw. 3, n. 19.
Wrotling -	Dorset -	M. F.	Cart., 11 Edw. 3, n. 16.	Farnebergh -	Kent -	M. F.	
Boostape -	Stafford -	M. F.	Cart., 11 Edw. 3, n. 22.	Stodley -	York -	M. F.	
Dalinton -	Kent -	M. F.	Cart., 11 Edw. 3, n. 25.	Hales Owenne -	Salop -	M. F.	Cart., 18 Edw. 3, n. 27.
Acford Nicholas -	Salop -	M. F.	Cart., 11 Edw. 3, n. 30.	Norton -	Somerset -	M. F.	Cart., 19 Edw. 3, n. 5.
Lichefeld -	Hants -	F.	Cart., 11 Edw. 3, n. 32.	Winterton -	Suffolk -	M. F.	Cart., 19 Edw. 3, n. 9.
Smethe -	York -	M. F.	Cart., 11 Edw. 3, n. 43.	Clive juxta Lewes.	Sussex -	M. F.	Cart., 19 Edw. 3, n. 15.
Cherthstretton -	Somerset -	M. F.	Cart., 11 Edw. 3, n. 44, &c.	Thorkesey -	Lincoln -	M. F.	Cart., 19 Edw. 3, n. 17.
Ringowode -	Kent -	F.	Cart., 11 Edw. 3, n. 58.	Repinghall -	Lincoln -	M. F.	Cart., 20 Edw. 3, n. 5.
Wherlinton -	-	M. F.	Cart., 11 Edw. 3, n. 58.	Corby -	Surrey -	M. F.	Cart., 20 Edw. 3, n. 5 and 7.
Wedmore -	-	F.	Cart., 11 Edw. 3, n. 58.	Guilford -			
Lenham -	Northampton -	per unum mensem	Cart., 11 Edw. 3, n. 67.	Whitford -	Devon -	F.	Cart., 20 Edw. 3, n. 11.
Northampton Villa.	Nottingham -	M. F.	Cart., 12 Edw. 3, n. 4.	Wilm'sley -	York -	M. F.	Cart., 20 Edw. 3, n. 22.
Whatton -	Norfolk -	M. F.	Cart., 12 Edw. 3, n. 6.	Staynford -	York -	M. F.	Cart., 21 Edw. 3, n. 1.
Banham -	Suffolk -	M. F.	Cart., 12 Edw. 3, n. 8.	Hav'inglond -	Norfolk -	M. F.	Cart., 21 Edw. 3, n. 3, &c.
Stowmkett.	Essex -	M. F.	Cart., 12 Edw. 3, n. 9.	Lee -	Gloucester and Hereford.	M. F.	Cart., 21 Edw. 3, n. 4, &c.
Bures -	Lancaster -	M. F.	Cart., 12 Edw. 3, n. 19.	Wichampton -	Dorset -	M. F.	Cart., 21 Edw. 3, n. 7.
Netherton -	South Wales -	M. F.	Cart., 12 Edw. 3, n. 22.	Grafton -	Wilts -	M. F.	Cart., 21 Edw. 3, n. 8.
Henles -	Surrey -	M. F.	Cart., 12 Edw. 3, n. 27.	Navenby -	Lincoln -	F.	Cart., 21 Edw. 3, n. 9.
Merstham -	York -	M. F.	Cart., 12 Edw. 3, n. 29.	Grunham -	-	F.	Cart., 21 Edw. 3, n. 10, &c.
Whythyrnesse -	-	M. F.	Cart., 12 Edw. 3, n. 30.	Wigenhall -	Norfolk -	M. F.	Cart., 21 Edw. 3, n. 14.
Skipse -	Lincoln -	M. F.	Cart., 19 Edw. 3, n. 36.	Killing -	-	M.	Cart., 21 Edw. 3, n. 15, &c.
Oroby -	-	M. F.	Cart., 12 Edw. 3, n. 36.	Botill -	Cumberland -	M. F.	Cart., 21 Edw. 3, n. 17.
Stebbing -	Essex -	M. F.	Cart., 12 Edw. 3, n. 36.	Stowmarkett -	Suffolk -	M. F.	Cart., 21 Edw. 3, n. 23.
Wodhamni- ferres.	Bedford -	M. F.	Cart., 12 Edw. 3, n. 43.	Wendover -	Buckingham -	F.	Cart., 21 Edw. 3, n. 25.
Luton -	Leicester -	M. F.	Cart., 12 Edw. 3, n. 44.	Brehull -			
Wymundwold -	Lancaster -	M. F.	Cart., 13 Edw. 3, n. 3.	Kingsbramp- ton.	Somerset -	M. F.	Cart., 22 Edw. 3, n. 1, 2.
Eughford -	-	M. F.	Cart., 13 Edw. 3, n. 4.	Portbury -	-	M. F.	Cart., 22 Edw. 3, n. 19.
Worsted -	Norfolk -	M. F.	Cart., 13 Edw. 3, n. 4.	Newport juxta Berklee.	Gloucester -	F.	Cart., 22 Edw. 3, n. 20.
Sloley -		F.		Burnham -	Essex -	M. F.	Cart., 22 Edw. 3, n. 23.
Pincebek -	Lincoln -	M. F.	Cart., 13 Edw. 3, n. 12.	Goldhanger -	Essex -	M. F.	Cart., 22 Edw. 3, n. 25.
				Baheteford -	Kent -	F.	Cart., 22 Edw. 3, n. 26.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Menyasah	Derby	M. F.	Cart., 22 Edw. 3, n. 27.	Ford	Northumber- land.	M. F.	Pat., 36 Edw. 3, pt. 2, m. 11.
Folkeston	Kent	M.	Cart., 22 Edw. 3, n. 29.	Duffield	York	M. F.	Cart., 37 Edw. 3, n. 6.
Chienton	Somerset	M. F.	Cart., 22 Edw. 3, n. 40.	Jalepe	Bedford	M. F.	Cart., 38 Edw. 3, n. 4.
Glentnertell	Leicester			Goodmersham	Kent	M. F.	Cart., 38 Edw. 3, n. 5.
Holte	Wilts	M. F.	Cart., 22 Edw. 3, n. 42.	Middleton	Hants	M. F.	Cart., 38 Edw. 3, n. 6.
North Newbald	York	M. F.	Cart., 23 Edw. 3, n. 44.	Penorich	Stafford	M. F.	Cart., 38 Edw. 3, n. 7.
Bernwell	Northampton	M. F.	Cart., 23 Edw. 3, n. 1.	Acton Burnell	Salop	M. F.	Cart., 38 Edw. 3, n. 12.
Berghdon	Rutland	M. F.	Cart., 23 Edw. 3, n. 9.	Badele et Wykinges- ham.	Berks	2 F.	Cart., 38 Edw. 3, n. 19.
Rikhall	York	M. F.	Cart., 24 Edw. 3, n. 12.	De La Zele	Kent	M. F.	Cart., 39 & 40 Edw. 3, n. 5.
Tettebury	Gloucester	F.	Cart., 24 Edw. 3, n. 10.	Gravesend	Kent	M. F.	Cart., 39 & 40 Edw. 3, n. 9.
Werkesope	Nottingham	M. F.	Cart., 24 Edw. 3, n. 2.	Porlock	Somerset	M. F.	Cart., 39 & 40 Edw. 3, n. 10.
Sheffield	York	M. F.	Cart., 24 Edw. 3, n. 2.	Tuffeld	Devon	M. F.	Cart., 39 & 40 Edw. 3, n. 13.
Kerkeby Ste- phan.	Westmoreland	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 2.	Buntingford	Herts	M. F.	Cart., 41 Edw. 3, n. 5, 7.
Buttercramb	York	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 9.	Standon	-	M. F.	Cart., 41 Edw. 3, n. 7.
Sutton in Cole- field.	Warwick	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 11.	Cobham	Kent	M. F.	Cart., 41 Edw. 3, n. 12.
Collingburn	Wilts	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 13.	Mussenden	Buckingham	M. F.	Car 41 Edw. 3, n. 13.
Michelcherch	Wales	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 13.	Capel Sci. Jacobi de Holte.	Dorset	F.	Cart., 42 Edw. 3, n. 3.
Felbrug	Norfolk	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 15.	Arde Villa	Frauce	M. F.	Cart., 42 Edw. 3, n. 5.
Fareshered	Huntingdon	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 16.	Kirkborne	York	M. F.	Cart., 43, 44, & 45 Edw. 3, n. 4.
Buckfastelegh	Devon	M.	Cart., 25, 26, & 27 Edw. 3, n. 17.	Bethon	Somerset	2 M.	Cart., 43, 44, & 45 Edw. 3, n. 5.
Brente	Somerset	F.		Harleston	Norfolk	M.	Cart., 43, 44, & 45 Edw. 3, n. 18.
Cokyngton	Devon	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 27.	Westhorp	Suffolk	M. F.	Cart., 46 Edw. 3, n. 1.
Polran	Cornwall	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 28.	Frenge	Norfolk	M. F.	Cart., 46 Edw. 3, n. 1.
Motesfonte	Hants	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 29.	Retford	Nottingham	F.	Cart., 46 Edw. 3, n. 5.
Hierne	Kent	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 31.	Bradwater	Sussex	M. F.	Cart., 47, 48, 49, 50, & 51 Edw. 3, n. 15.
Westerham	-	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 32.	Burle Villa	Rutland	F.	Cart., 47, 48, 49, 50, & 51 Edw. 3, n. 17.
Franton	-	M. F.	Cart., 25, 26, & 27 Edw. 3, n. 32.	Beaulien	Worcester	M. F.	Cart., 47, 48, 49, 50, & 51 Edw. 3, n. 19.
Buckton	Northampton	F.	Cart., 25, 26, & 27 Edw. 3, n. 34.	Coleworth	Northampton	M. F.	Cart., 47, 48, 49, 50, & 51 Edw. 3, n. 21, 22.
Hamelhoke	Hants	M. F.	Cart., 28 Edw. 3, n. 8.	Holt	Worcester	F.	Cart., 47, 48, 49, 50, & 51 Edw. 3, n. 23.
Hebrugg	Essex	M. F.	Cart., 28 Edw. 3, n. 9.	Biggenhull in Buroestre.	Oxford	M. F.	Pat., 17 Hen. 6, pt. 2, m. 24. (Cart., 1 Ric. 2, n. 26.)
Elmestedo	Kent	M. F.	Cart., 28 Edw. 3, n. 10.	Manafeld	Nottingham	F.	Close, 1 Ric. 2, m, 26 dors.
Cukewald	York	M. F.	Cart., 28 Edw. 3, n. 11.	Shireveton	York	M. F.	Cart., 1 Ric. 2, n. 1.
Brynesfeld	Gloucester	M. F.	Cart., 28 Edw. 3, n. 14.	Clavering	-	M. F.	Cart., 1 Ric. 2, n. 10.
Ambreslay	Worcester	M. F.	Cart., 28 Edw. 3, n. 18.	Sheriffhoton	-	M. F.	Cart., 1 Ric. 2, n. 9.
Tene	Oxford	M. F.	Cart., 29 Edw. 3, n. 2.	Otery	Devon	M. F.	Cart., 1 Ric. 2, n. 12.
Fordington	Dorset	M. F.	Cart., 29 Edw. 3, n. 4.	Oterye	-	M. F.	Cart., 1 Ric. 2, n. 12.
Orste	Essex	M. F.	Cart., 29 Edw. 3, n. 7.	Shepey Queens- burgh.	Kent	M. F.	Cart., 1 Ric. 2, n. 13.
Tettebury	Gloucester	F.	Cart., 29 Edw. 3, n. 5.	Nottingham	Nottingham	F.	Cart., 1 Ric. 2, n. 18.
Lenham	Kent	F.	Cart., 29 Edw. 3, n. 12.	Burcester	Oxford	M. F.	Cart., 1 Ric. 2, n. 26.
Plemute	Cornwall	F.	Cart., 30 Edw. 3, n. 1.	Fransham	Norfolk	M. F.	Cart., 1 Ric. 2, n. 27.
Marthier	Herts	M. F.	Cart., 30 Edw. 3, n. 8.	Rogate	Sussex	M. F.	Cart., 1 Ric. 2, n. 28.
Weldon	Northampton	F.	Cart., 30 Edw. 3, n. 12.	Gissing Villa	-	M. F.	Cart., 2 Ric. 2, n. 1.
Hollandbrugge	Lincoln	M. F.	Cart., 30 Edw. 3, n. 13.	Ukkesfeld	Sussex	F.	Cart., 2 Ric. 2, n. 2.
Ripley	York	M. F.	Cart., 31 Edw. 3, n. 3.	Newerk	Nottingham	F.	Cart., 2 Ric. 2, n. 4.
Kynardeste	Hereford	M. F.	Cart., 31 Edw. 3, n. 4.	Luda	-	F.	
Hornesee	York	F.	Cart., 32 Edw. 3, n. 2.	Slafford	-	M.	Cart., 2 Ric. 2, n. 11.
Tollerton	York	M. F.	Cart., 32 Edw. 3, n. 3.	Bodenham	Hereford	M. F.	
Apuldre	Kent	M. F.	Cart., 32 Edw. 3, n. 7.	Hemenale Villa	-	M. F.	Cart., 3 Ric. 2, n. 3.
Brugenorth	Salop	F.	Cart., 33 Edw. 3, n. 11.	Hemenhale	-	M. F.	Cart., 3 Ric. 2, n. 3.
Whittingham	York and Lan- caster.	M. F.	Cart., 34 & 35 Edw. 3, n. 7.	Elsing	-	M. F.	Cart., 3 Ric. 2, n. 9.
Bradenestoke	Wilts	M. F.	Cart., 34 & 35 Edw. 3, n. 8.	Gouthurst	Kent	M. F.	Cart., 3 Ric. 2, n. 13.
Estbridgford	Nottingham	M. F.	Cart., 34 & 35 Edw. 3, n. 10.	Witham et Neuland.	Essex	M.	Cart., 3 Ric. 2, n. 22.
Leicester	Leicester	M. F.	Cart., 34 & 35 Edw. 3, n. 18.	Assuven's Civi- tas & Villa.	-	M. F.	Cart., 3 Ric. 2, n. 24.
Camptoden	Gloucester	F.	Cart., 34 & 35 Edw. 3, n. 21.	Edenstowe	Nottingham	F.	Cart., 4 Ric. 2, n. 5.
Buntingford	Herts	M. F.	Cart., 34 & 35 Edw. 3, n. 22.	Witton	Stafford	F.	Cart., 4 Ric. 2, n. 11.
Whitchurah	Salop	F.	Cart., 36 Edw. 3, n. 4.	Alresford			Cart., 4 Ric. 2, n. 11.
Wrokeshalle	Somerset	M. F.	{ Cart., 36 Edw. 3, n. 14. Pat., 5 Hen. 4, pt. 1, m. 4.	Azelm	Lincoln	M. F.	Cart., 5 & 6 Ric. 2, n. 1.
Morland	Westmoreland	M. F.	Cart., 36 Edw. 3, n. 21.	Eppeworth	-	M. F.	Cart., 5 & 6 Ric. 2, n. 1.
Then	Lincoln	M. F.	Cart., 36 Edw. 3, n. 22.	Lekingfeld	York	M. F.	Cart., 5 & 6 Ric. 2, n. 2.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Messingham	Lincoln	M. F.	Cart., 5 & 6 Ric. 2, n. 3.	Devises		F.	
Melindresansy infra Dniun. de Lamindovey.		F.	Cart., 5 & 6 Ric. 2, n. 4.	Sarum	Wilts	F.	Cart., 15, 16, & 17 Ric. 2, n. 5.
Bodifham	Sussex	M. F.	Cart., 5 & 6 Ric. 2, n. 5.	Rambery		F.	
Maddeley	Hereford	M. F.	Cart., 5 & 6 Ric. 2, n. 8.	Shireborne	Dorset	M. F.	Cart., 15, 16, & 17 Ric. 2, n.
Semir	York	M. F.	Cart., 5 & 6 Ric. 2, n. 10.	Bokingham	Berks	F.	
Polruan	Cornwall	M. F.	Cart., 5 & 6 Ric. 2, n. 13.	Yatesminster	Dorset	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 5.
Lennally	Hereford	M. F.	Cart., 7 & 8 Ric. 2, n. 9.	Godalming	Surrey	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 5.
Stratford	Sussex	M. F.	Cart., 7 & 8 Ric. 2, n. 10.	Chidingfold	Surrey	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 5.
Lecton	Huntingdon	M. F.	Cart., 7 & 8 Ric. 2, n. 13.	Maghfeld	Sussex	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 1.
Jxworth Villa	Suffolk	M. F.	Cart., 7 & 8 Ric. 2, n. 14.	Berkley	Gloucester	F.	Cart., 18 & 19 Ric. 2, n. 7.
Bungey		M.	Cart., 7 & 8 Ric. 2, n. 17.	Kermersdine	Wales	M. F.	Cart., 18 & 19 Ric. 2, n. 15.
Freningham Villa.	Kent	M. F.	Cart., 7 & 8 Ric. 2, n. 19.	Prestbury	Gloucester	M.	
Edwam'ing	Sussex	M. F.	Cart., 7 & 8 Ric. 2, n. 24.	Chaestell	Salop	M. F.	Cart., 18 & 19 Ric. 2, n. 17.
Bradewater	Lancaster	M.	Cart., 7 & 8 Ric. 2, n. 27.	Alvaninton	Gloucester	M. F.	Cart., 18 & 19 Ric. 2, n. 18.
Canterbury	Kent	4 F.	Cart., 7 & 8 Ric. 2, n. 32.	Erde	Kent	M. F.	Cart., 20 Ric. 2, n. 5.
Haringworth Castr.	Northampton	M. F.	Cart., 9 & 10 Ric. 2, n. 3.	Draiton Basset	Stafford	M. F.	Cart., 21, 22, & 23 Ric. 2, n. 5.
Preston	Kent	M. F.	Cart., 9 & 10 Ric. n. 13.	Mulburn Villa	Somerset	M. F.	
Loffwyke	Herts	M. F.	Cart., 9 & 10 Ric. 2, n. 21.	Mulburne Burg		M. F.	Cart., 21, 22, & 23 Ric. 2, n. 25.
Loffwyke	Northampton	M. F.	Cart., 9 & 10 Ric. 2, n. 21.	Taunton	Devon	F.	Cart., 21, 22, & 23 Ric. 2, n. 10.
Bradwater	Lancaster	F.	Cart., 11, 12, & 13 Ric. 2, n. 6.	Faresley	Stafford	M. F.	Cart., 21, 22, & 23 Ric. 2, n. 5.
Bernwell	Kent	F. per 14 Dec.	Cart., 11, 12, & 13 Ric. 2, n. 14.	Walshale	Stafford	M. F.	Cart., 21, 22, & 23 Ric. 2, n. 5.
Middelham	York	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 21.	Bradeford	York	M. F.	Cart., 21, 22, & 23 Ric. 2, n. 5.
Lichfold				Ratwiton	York	M. F.	Cart., 1 Hen. 4, pt. 3, n. 8.
Heiwode				Storughton	Sussex	M. 3 F.	Cart., 1 Hen. 4, pt. 2, n. 6.
Langedon				Enemere Villa		M. F.	Cart., 2 Hen. 4, pt. 2, n. 1.
Ruggell	Stafford	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 27.	Bough in le Mershe Villa.	Lincoln	M. F.	Cart., 2 Hen. 4, pt. 2, n. 3.
Kannocbyry				Matersley	Nottingham	M. F.	Cart., 3 & 4 Hen. 4, n. 1.
Brewode				Bury St. Ed- munds.	Suffolk	F. mutat.	Cart., 6 & 7 Hen. 4, n. 1.
Berewick				Alfrisheton	Sussex	M. F.	Cart., 6 & 7 Hen. 4, n. 2.
Eocleshale				Penzans	Cornwall	M. F.	Cart., 6 & 7 Hen. 4, n. 3.
Preese	Salop, bla.	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 27.	Rye Villa	Sussex	M. mutat.	Cart., 6 & 7 Hen. 4, n. 9.
Salowe	Derby	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 27.	Pontefreit	York	M. & 2 F.	Cart., 9 Hen. 4, n. 9.
Jhentou	Warwick	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 27.	Rothwell		M. F.	Cart., 9 Hen. 4, n. 10.
Burton in Wire- hale.	Chester	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 27.	Mere Villa	Wilts	M. F.	
Lichfeld	Stafford	F.	Cart., 11, 12, & 13 Ric. 2, n. 27.	Mere	Wilts	M.	Cart., 9 Hen. 4, n. 11.
Middelham	York	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 21.	Sherwode	Nottingham	M. & 2 F.	Cart., 10, 11, & 12 Hen. 4, n. 2.
Bernwell	Cambridge	F.	Cart., 11, 12, & 13 Ric. 2, n. 15.	Warsope	Nottingham	M. F.	Cart., 10, 11, & 12 Hen. 4, n. 2.
Bernwell	Cambridge	F.	Cart., 11, 12, & 13 Ric. 2, n. 15.	Clyve Villa	Sussex	M. 2 F.	
Epping bruer	Essex	M. F.		Clyve	Sussex	M. F.	Cart., 10, 11, & 12 Hen. 4, n. 9.
Fackell	Essex	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 12.	Holdich		M. 2 F.	Cart., 10, 11, & 12 Hen. 4, n. 15.
Watham	Essex	F.		Mildenhall	Suffolk	M. F.	Cart., 13 & 14 Hen. 4, n. 5.
Bradewater	Sussex	F.	Cart., 11, 12, & 13 Ric. 2, n. 6.	Stafford	Stafford	M. F.	Cart., 13 & 14 Hen. 4, n. 7.
Ashton	Wilts	M. F.	Cart., 11, 12, & 13 Ric. 2, n. 2.	Warwick	Warwick	F.	Cart., 1 Hen. 5, n. 14, 15.
Romesey	Hants	F.	Cart., 11, 12, & 13 Ric. 2, n. 2.	Wilton	Wilts	F.	Cart., 2 Hen. 5, pt. 1, n. 11.
Leiston	Suffolk	M.	Cart., 14 Ric. 2, n. 11.	Witteney	Oxford	2 F.	Cart., 3 Hen. 5, pt. 1, n. 15.
Stratford	Warwick	M. F.		Westharpire	Somerset	M. F.	Cart., 2 Hen. 5, pt. 1, n. 16.
Blokleg	Worcester	F.	Cart., 14 Ric. 2, n. 10.	Burnham	Buckingham	M.	
Aluithlechiroh	Worcester	M. F.		Bekeneffeld		F.	Cart., 2 Hen. 5, pt. 1, n. 17.
Maghfeld	Sussex	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 1.	Muresle	Buckingham	M. F.	Cart., 3 & 4 Hen. 5, n. 2.
Haselmore	Surrey	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 6.	Wilton	Wilts	F.	Cart., 3 & 4 Hen. 5, n. 2 & 4.
Tydeswell	Derby	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 13.	Cheping Blanc- ford.	Dorset	F.	Cart., 3 & 4 Hen. 5, n. 5.
Masseham	York	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 18.	Walshale	Stafford	M. F.	Cart., 5 Hen. 5, n. 2.
Winterborne	Gloucester	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 22.	Walteleg	Somerset	F.	Cart., 1 to 21 & 24 Hen. 6, n. 4.
Castleacre	Norfolk	M.	Cart., 15, 16, & 17 Ric. 2, n. 37.	Speldiwich	Huntingdon	M. 2 F.	Cart., 1 to 21 & 24 Hen. 6, n. 16.
Suthwike	Hants	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 34.	Kymbarton	Huntingdon	M. F.	Cart., 1 to 21 & 24 Hen. 6, n. 19.
Honedon	York	F.	Cart., 15, 16, & 17 Ric. 2, n. 20.	Brickhull parva	Buckingham	M. 2 F.	Cart., 1 to 21 & 24 Hen. 6, n. 19.
Bridelington	York	F.	Cart., 15, 16, & 17 Ric. 2, n. 26.	Tewkesbery	Gloucester	F.	Cart., 1 to 21 & 24 Hen. 6, n. 20.
Masseham	York	M.	Cart., 15, 16, & 17 Ric. 2, n. 19.	Crull	Lincoln	M. F.	Cart., 1 to 21 & 24 Hen. 6, n. 24.
Halliwell	Wales	M. F.	Cart., 15, 16, & 17 Ric. 2, n. 7.	Cherdestoke	Dorset	M.	Cart., 1 to 24 Hen. 6, n. 26.
				Certesley	Surrey	F.	Cart., 1 to 24 Hen. 6, n. 31.

Place.	County (where noted).	Fair or Market.	Reference.	Place.	County (where noted).	Fair or Market.	Reference.
Evesham	Worcester	M. F.	Cart., 1 to 24 Hen. 6, n. 33.	Finchamsted	Herks	M. F.	Cart., 27 to 39 Hen. 6, n. 12.
Windham	Norfolk	M. 2 F.	Cart., 1 to 24 Hen. 6, n. 35.	Prescote	Lancaster	M.	Cart., 27 to 39 Hen. 6, n. 13.
Henle sup. Thamis.	Oxford	M. 2 F.	Cart., 1 to 24 Hen. 6, n. 36.	Wighton	York	M. F.	Cart., 27 to 39 Hen. 6, n. 14.
Eltham	Kent	M. 2 F.	Cart., 1 to 24 Hen. 6, n. 38.	Harlow	Lincoln	M. F.	Cart., 27 to 39 Hen. 6, n. 17.
Alford	Lincoln	M. F.	Cart., 1 to 24 Hen. 6, n. 39.	Fodringhay	Northampton	M.	Cart., 27 to 39 Hen. 6, n. 18.
Newcastle	Stafford	F.	Cart., 1 to 24 Hen. 6, n. 43.	Pole Villa	Dorset	M. F.	Cart., 27 to 39 Hen. 6, n. 25.
Hogworth	Oxford	M. F.	Cart., 1 to 24 Hen. 6, n. 46.	Eton juxta Windsore.	Buckingham	M.	Cart., 27 to 39 Hen. 6, n. 28.
Cambridge		F.	Cart., 1 to 24 Hen. 6, n. 47.	Woking Villa	Norfolk	F.	Cart., 27 to 39 Hen. 6, n. 39.
Boucho		M. F.	Cart., 1 to 24 Hen. 6, n. 48.	Havont	Hants	M. F.	Cart., 27 to 39 Hen. 6, n. 34.
Leire	France	M. F.	Cart., 1 to 24 Hen. 6, n. 49.	Winton Civitas	Hants	M. F.	Cart., 27 to 39 Hen. 6, n. 36.
Cambridge	Cambridge	F.	Cart., 1 to 24 Hen. 6, n. 47.	Ethone		F.	Cart., 27 to 39 Hen. 6, n. 57, 58.
Windham	Norfolk	M. 2 F.	Cart., 1 to 24 Hen. 6, n. 35.	Kingsnode		F.	Cart., 27 to 39 Hen. 6, n. 57, 58.
Eynesham	Oxford	M. F.	Cart., 1 to 24 Hen. 6, n. 33.	Swanneston		F.	Cart., 27 to 39 Hen. 6, n. 57, 58.
Chorlebury	Oxford	M.	Cart., 1 to 24 Hen. 6, n. 33.	Wimbling- wold.		F.	Cart., 27 to 39 Hen. 6, n. 57, 58.
Roucester	Stafford	M. F.	Cart., 1 to 21 & 24 Hen. 6, n. 32.	Tonge Villa		F.	Cart., 27 to 39 Hen. 6, n. 57, 58.
Cherdestoke	Dorset	M. F.	Cart., 1 to 24 Hen. 6, n. 27.	Betesworth	Surrey	F.	Cart., 27 to 39 Hen. 6, n.
Tewkesbury	Gloucester	F. 8 dies	Cart., 1 to 24 Hen. 6, n. 20.	Eythorne	Kent	F.	Cart., 27 to 39 Hen. 6, n.
Westharnham	Wilts	F.	Cart., 1 to 24 Hen. 6, n. 15.	Kingsnode	Kent	F.	Cart., 27 to 39 Hen. 6, n.
Mernham	Nottingham	M. F.	Cart., 1 to 24 Hen. 6, n. 9.	Swanneston	Kent	F.	Cart., 27 to 39 Hen. 6, n.
Chaworth.		M.	Cart., 1 to 24 Hen. 6, n. 10.	Wimbling- wold.	Kent	F.	Cart., 27 to 39 Hen. 6, n.
Lothwistoft				Betesworth	Kent	F.	Cart., 27 to 39 Hen. 6, n.
Chepinglam- borne.	Berks	M. 2 F.	Cart., 1 to 21 & 24 Hen. 6, n. 2, 13.	Swinderby	Nottingham and Lincoln.	M. F.	Cart., 27 to 39 Hen. 6, n. 39.
Suthwick	Hants	M. F.	Cart., 1 to 24 Hen. 6, n. 17.	Basinstoke	Hants	F.	Cart., 27 to 39 Hen. 6, n. 47.
Suthwork	Surrey	F.	Cart., 1 to 24 Hen. 6, n. 34.	Weststreete	Cambridge	M. F.	Cart., 27 to 39 Hen. 6, n. 49.
Feeringe	Sussex	M.	Cart., 1 to 24 Hen. 6, n. 37.	Horsham	Sussex	M. F.	Cart., 27 to 39 Hen. 6, n. 50.
Eton	Buckingham	2 F.	Cart., 1 to 24 Hen. 6, n. 41.	Kingebrigg	Devon	M. F.	Cart., 27 to 39 Hen. 6, n.
Coventre	Warwick	F.	Cart., 1 to 24 Hen. 6, n. 42.	Buckfastlegh	Devon	F.	Cart., 27 to 39 Hen. 6, n. 15.
Charring	Kent	8 dies. 2 F.	Cart., 1 to 24 Hen. 6, n. 43.	Mersabefeldmag.	Gloucester	M. F.	Cart., 2, 3, & 4 Edw. 4, n. 15.
Southpederton	Somerset	F.	Cart., 25 & 26 Hen. 6, n. 5.	Doncaster	York	F.	Cart., 5, 6, & 7 Edw. 4, n. 2.
Sabrichsworth	Herts	M. F.	Cart., 25 & 26 Hen. 6, n. 13.	Halsted Villa	Essex	M. F.	Cart., 5 & 6 Edw. 4, n. 6.
Alcester	Warwick	M. F.	Cart., 25 & 26 Hen. 6, n. 20.	Brigstoke Villa.	Northampton	M. F.	Cart., 5, 6, & 7 Edw. 4, n. 11.
Bromley	Kent	M. F.	Cart., 25 & 26 Hen. 6, n. 22.	Hatfield	Herts	M. F.	Cart., 5, 6, & 7 Edw. 4, n. 12.
Warmester	Wilts	F.	Cart., 25 & 26 Hen. 6, n. 23.	Hornsee	York	M.	Cart., 41 Hen. 3, m. 8.
Tiebefeld	Hants	F.	Cart., 25 & 26 Hen. 6, n. 27.	Rashatford	Kent	M. F.	Chartoe, 5, 6, & 7 Edw. 4, n. 17.
Wodebridge	Suffolk	M. F.	Cart., 25 & 26 Hen. 6, n. 28.	Havering Villa	Essex	F.	Cart., 5, 6, & 7 Edw. 4, n. 21.
Estrye		F.		Grafton Wid- ville.	Northampton	M. F.	Cart., 5, 6, & 7 Edw. 4, n. 22.
Holingsburn	Kent	M. F.		Wenlock	Salop	M. F.	Cart., 5, 6, & 7 Edw. 4, n. 9.
Munketon	Kent	M.	Cart., 25 & 26 Hen. 6, n. 30.	Castelaore	Norfolk	M. F.	Cart., 8, 9, & 10 Edw. 4, n. 2.
Mepeham	Kent	M.		Brightstede	Gloucester	F.	Cart., 8, 9, & 10 Edw. 4, n. 5.
Chart	Kent	M.		Berghstede		F.	Cart., 8, 9, & 10 Edw. 4, n.
Horewode	Buckingham	M. F.	Cart., 25 & 26 Hen. 6, n. 40.	Castelaory	Somerset	M. F.	Cart., 8, 9, & 10 Edw. 4, n. 6.
Colerno	Wilts	M. F.	Cart., 25 & 26 Hen. 6, n. 40.	Eltham	Kent	F.	Cart., 8, 9, & 10 Edw. 4, n. 13.
Beaudley	Worcester	M. F.	Cart., 25 & 26 Hen. 6, n. 41.	Asabeby	Leicester	F.	Cart., 11, 12, 13, & 14 Edw. 4, n. 3.
Westbury Villa	Wilts	M. F.	Cart., ab 27 usq., 39 Hen. 6, n. 2.	Leicester	Leicester	F.	Cart., 11, 12, 13, & 14 Edw. 4, n. 7.
Westbury	Wilts	M. F.	Cart., 27 to 39 Hen. 6, n. 2.	Shuffenale	Salop	M. 2 F.	Cart., 11, 12, 13, & 14 Edw. 4, n. 6.
Kingsbrig et	Devon	F.	Cart., 27 to 39 Hen. 6, n. 4.	Layfeld	Suffolk	M. F.	Cart., 11, 12, 13, & 14 Edw. 4, n. 8.
Buckfastlegh	Devon	F.	Cart., 27 to 39 Hen. 6, n. 4.	Plympton	Devon	F.	Cart., 15 to 22 Edw. 4, n. 2.
Kingsbrige	Devon	M. F.	Cart., 27 to 39 Hen. 6, n. 4.	Bradford	York	M. F.	Cart., 15 to 22 Edw. 4, n. 5.
Buckfastlegh	Devon	F.	Cart., 27 to 39 Hen. 6, n. 4.	Stoke	Suffolk	M. F.	Cart., 15 to 22 Edw. 4, n. 9.
Cerne	Dorset	F.	Cart., 27 to 39 Hen. 6, n. 11.	Etherling	Norfolk	M. F.	Cart., 15 to 22 Edw. 4, n. 17.
Hankchurch	Dorset	F.	Cart., 27 to 39 Hen. 6, n. 11.				

XX.

SPECIMEN EXTRACTS from a CALENDAR of PRIVY SEAL DOCUMENTS.

[From the Appendix to the 48th Annual Report of the Deputy Keeper of the Public Records, p. 451 to p. 559.]

8 Charles I. 1632, 9 July, 10 July, No. 225.

Middleton, Sir Thos. . . . Grant of a court of record within the manor of Chirk and Chirkland, co. Denbigh, for all actions not exceeding 40*l.*, a weekly market and two fairs yearly to be held at Llangollen and Llanrhaid. P.S.

8 Charles I. 1632, 15 November, 17 November, 316.

Prideaux, Nicholas . . . Grant to him and his heirs of a weekly market and two fairs yearly in Holsworthy. co. Devon. P.S.

8 Charles I. 1663, 19 January, 31 January, 419.

Paulett, John Lord . . . Grant to him and his heirs of a weekly market at Sampford Peverell, co. Devon, on Fridays instead of Saturdays, and of two fairs a year at Hinton St. George, co. Somerset. P.S.

9 Charles I. 1633, 4 May, 35.

Proclamation ordering persons to sell victuals within the verge of the Court, at the prices fixed by the clerk of the King's household. S.B.

9 Charles I. 1633, 18 May, 19 May, 76.

Elphinston, Wm., His Majesty's Cupbearer. Grant of a weekly market on Wednesday and a yearly fair at Newton Abbot, co. Devon. P.S.

9 Charles I. 1633, 21 May, 162.

Hombarston, Henry . . . Confirmation to him as Lord of the manor of Binbroke, of a licence to hold a weekly market and annual fair at Binbrooke. P.S.

9 Charles I. 23 May, 25 May, 169.

Bedford, Francis Earl of; Bollingbroke, Oliver Earl of; Maltravers, Thos. Lord; George Edmund; Heath, Sir Robt., and ten others. . . . Charter of incorporation as governors, bailiffs, and commonalty of the society of conservators of the moors and marshes within the cos. Cambridge, Huntingdon, Northampton, Lincoln, Norfolk, Suffolk, and the Isle of Ely, with a grant of a weekly market and two yearly fairs within his manor of Thorney to the Earl of Bedford, and the like to Sir Miles Sandis within his manor of Stretham. P.S.

9 Charles I. 1633, 3 October, 246.

Wentworth, Thos. Viscount. . . . Licence to hold one fortnightly and three annual fairs in Harwood, co. York. P.S.

9 Charles I. 1633, 14 December, 444.

Confirmation of a decree of the Star Chamber made November 13, 1633, regulating the price of provisions in and near London. S.B.

10 Charles I. 1634, 14 May, 19 May, 129.

Glenham, Sir Thos. . . . Confirmation of a grant of a market to be held every Thursday within the manor of Burwell, co. Lincoln. P.S.

11 Charles I. 1635, 4 June, 10 June, 151.

Saunders, Valentine . . . Grant of a market and fair in West Braineferd, co. Middlesex, on surrender of a former grant, to be held September 1, instead of St. Lawrence's Day; also of another at the same place to be held yearly on May 6. P.S.

11 Charles I. 1635, 19 June, 20 June, 252.

Mordant, Henry . . . Grant in perpetuity of two fairs annually within the manor and town of Thunderley, co. Essex. P.S.

11 Charles I. 1635, 29 September, 8 October, 369.

Pennick, Edwd. . . . Grant in perpetuity of a yearly market and fair in Burnham Westgate, co. Norfolk. P.S.

11 Charles I. 1635, 30 September, 27 October, 375.

Quadrang, Sir Wm. . . . Grant to him and his heirs of a weekly market and three yearly fairs within the manor of Burgh-in-the-Marsh, co. Lincoln. P.S.

11 Charles I. 1636, 20 January, 21 January, 562.

Hickman, Wm. . . . Grant to him, now owner of Gainsborough, Lincolnshire, and to his heirs, of the right to hold two fairs annually, each fair to continue nine days. P.S.

11 Charles I. 1636, 18 March, 19 March, 725.

Arundell and Surrey, Thos. Earl of. . . . Grant of an annual fair on St. Mark's Day in the town of Wem, co. Salop. P.S.

* * * *

[From the Calendar of Privy Seal documents from 1634 to 1711, formerly belonging to the Duke of Newcastle as Lord of the Privy Seal, and now among the Harleian MSS. 2262-4, and 7344-51.]

23 Car. 2, 1671, November 15, Harl. 7344.

For Philip Viscount Strangford. Grant of a market to be held every other Tuesday in the year, in the town of Ashford, in the county of Kent, for buying and selling all sorts of cattle, goods, and merchandizes. Westm., 15th November. Pat. 23, Chas. 2, p. 8, No. 14.

4 Anne April 28, Harl. 7344.

For Sir John Crewe, of Utkinton, co. Chester, Knight. Grant in fee of three fairs on markets to be held yearly at Tarporley, co. Chester, on April 20, and on the Monday next after the feast of S. Bartholomew, and on December 11th, and one market to be held on Thursday in every week at Tarporley aforesaid, for buying and selling all manner of cattle, goods, and wares with the tolls and profits thereof. Westm., Patents, 4 Anne, p. 2, No. 9.

4 Anne June 30, Harl. 7345.

Grant in fee to Anthony Nicoll, of Penrose, in the parish of S. Udy, co. Cornwall, and to Edward Trelawny, clerk, rector of the same parish, of 2 fairs or markets in the parish of St. Udy, one upon 9th May and the other on 3rd September in each year, unless those days should fall on Sundays, then the fair to be held on the Monday following; all the profits thereof to be in trust for the sale, use, and benefit of the poor inhabitants of the parish of S. Udy for ever. Westm., 30 June, 4 Anne. Pat. 4, Anne, p. 3, No. 9.

4 Anne 31 August, Harl. 7345.

For Sir John Hobart, baronet. Grant in fee of a market to be held on Tuesday in every week in the town of Aylsham, co. Norfolk, in lieu of the market now and formerly held there on Saturday in every week for the buying and selling of all manner of goods and merchandizes commonly sold in markets. And also one fair to be held in the said town on the second Tuesday and Wednesday in the month of September yearly for ever, for the buying and selling of all manner of goods and merchandizes, with court of piepowder and reasonable piccage and stallage, and with a proviso for determining this grant, if the market formerly held on Saturday be at any time kept after thirty days ensuing the date hereof. Pat. 4 Anne p., 4, No. 21.

4 Anne 30 September, Harl. 7345.

For Herman Almins, esquire. Grant in fee of one fair to be held yearly in the town of Braintree, co. Essex, on the 27th, 28th, and 29th days of April, unless either of those days be on Sunday, and then on the Monday, Tuesday, and Wednesday next following, for

buying and selling all sorts of cattle, goods, and merchandizes, with court of piepowder and with reasonable piccage and stallage. Confirmation also of the market and fair now and anciently held in the said town. Pat. 4 Anne, p. 4, No. 16.

4 Anne 13 November, Harl. 7345.

For Andrew Quicke, of Newton St. Cyres, co. Devon, esquire. Grant in fee of two fairs to be held yearly within the borough of Ashburton, co. Devon, one on the first Thursday in March and the other on the first Thursday in June, for the buying and selling of all sorts of cattle, goods, and merchandizes, with court of piepowder, tolls and profits. Pat. 4 Anne, p. 4, No. 2.

5 Anne 3 December, Harl. 7346.

Town of Wincalton, co. Somerset. Grant to Christopher Farewell Philip Bennet, senior, Thomas Hussey, esquires, and several others, of a market to be held in the town of Wincalton, co. Somerset, every Wednesday, for buying and selling of cattle and other things, and two fairs there yearly, one on the Tuesday next after the feast of Easter, and the other on the 18th day of September (unless it happen to be Sunday, and then on the Monday following), for the buying and selling of cattle, corn, goods, and merchandizes (with reasonable toll, piccage, and stallage), in trust for the public good and profit of the inhabitants of the said town, upon surrender of patent 17 March 2 & 3 Phil. and Mary, Westminster, 3 December. Pat. 5 Anne, p. 2, No. 18.

5 Anne 7 April, Harl. 2263 f. 9.

Charles Hore and Richard Hore. Petition of, to the Queen for a market in St. John's Street near Hick's Hall, co. Middlesex, for the sale of sheep and lamb skins. Underwritten, reference to the Attorney or Solicitor General, dated at the Court at Kensington, 7 April 1706 (should be 1707). [Copy.] Annexing, report of Sir Simon Harcourt, Solicitor-General, 8 March 1706.

Harl. 2263, f. 41.

The same. Petition of the same to the Duke of Newcastle. States that a grant for the above-mentioned market lies before his Grace, and that a caveat has been entered against it by the butchers. Pray for a speedy bearing. Signed, Charles Hore, Richard Hore.

6 Anne April 7, Harl. 7347.

The same. Grant of a market to be held on Tuesday, Thursday, and Saturday in every week for the term of 40 years within a place inclosed with brick walls called the Vinegar Ground, being parcel of a certain close called Woodclose, in the parish of St. James, Clerkenwell, co. Middlesex, near St. John Street, for the buying and selling raw and undressed skins of sheep and lambs. Westm., 7 April, 6 Anne. Pat. 6 Anne, p. 4, No. 8.

7 Anne 13 May, Harl. 7348.

For Robert Hooker, gentleman. Grant in fee of three fairs to be held yearly in Church Town, in the parish of Camborne, co. Cornwall, for buying and selling cattle and all manner of goods and wares, one whereof to be held on November 10, 11, and 12; another on February 24, 25, and 26; and the other on June 28, 29, and 30, unless any of those days happen to be Sunday, and then upon the Monday, Tuesday, or Wednesday following such Sunday, with reasonable piccage and stallage. Westm., 13 May, 7 Anne. Pat. 7 Anne, p. 3, No. 22.

7 Anne 1708, 14 May, Harl. 7348.

For Richard, Earl of Burlington. Confirmation of an ancient weekly market on Tuesday, and a fair yearly, held for three days, on the vigil, day, and morrow of S. Laurence, within the manor of Setel, co. York, granted by patent 12th April, 33 Hen. 3, to Henry de Percy. Grant in fee of several other new fairs to be held yearly within the town of Setel, on the days following, viz., one fair on the Tuesday next before Palm Sunday, for buying and selling all sorts of cattle, goods, wares, and merchandize; another on 15th April for sheep; another on the Tuesday next after Whit-Sunday, for all sorts of cattle, goods, wares, and merchandizes; another on 23rd June for lambs; another

on 12th October for sheep; another on the Tuesday next after 16th October for all sorts of cattle, goods, wares, and merchandizes; and another on Friday in every other week during three months successively yearly, to begin on Friday next before Easter, for buying and selling all sorts of cattle. Westm., 14th May, 7 Anne. Pat. 7 Anne, p. 2, No. 7.

7 Anne June 25, Harl. 7348.

For John Hoo, Esquire, Serjeant-at-Law. Grant in fee of two fairs to be held yearly at Wedgebury, co. Stafford, one on April 25th, and the other on July 23rd, unless either of those days should be Sunday, and then on the Monday following, for the buying and selling all manner of cattle, goods, and merchandize. Also one market to be kept there on Friday weekly for ever, for the buying and selling of all manner of corn, flesh, fish, and other provisions; merchandizes commonly sold in markets, with reasonable tolls, piccage, and stallage. Westm., 25th June, 7 Anne, p. 3, No. 16.

7 Anne 1708, August 12, Harl. 7348.

For William Hulett, of Milverton, co. Somerset. Grant in fee of two fairs to be held yearly at Milverton, co. Somerset, one on Easter Tuesday, and the other on 25th July, unless it be Sunday, and then on the day following, for the buying and selling all sorts of cattle, goods, wares, and merchandizes; also a market every Friday for buying and selling of corn, flesh, fish, and other provisions, and all manner of goods, wares, and merchandizes with reasonable toll, piccage, and stallage. Westm., 12 Aug, 7 Anne. Pat. 7 Anne, p. 4, No. 13.

7 Anne 1708, August 27, Harl. 7348.

For the Steward, Bailiff, and Burgesses of Knareborough, co. York. Grant of several fairs to be holden yearly within the said borough, viz., one fair on the Wednesday next after the 1st day of March, for buying and selling of all manner of beasts or live cattle, and on the day following for sheep; one other fair on April 25th for beasts or live cattle, and on the next day for sheep, unless either of those days happen to be Sunday, and then on the day following; another fair on the Wednesday next after the 1st day of August for all manner of beasts or live cattle, and on the next day for sheep; another fair on the Monday next following the 29th of September for all manner of beasts or live cattle, and the next day for sheep; another fair on the day next before the Wednesday next following the 14th of December for sheep, and upon the Wednesday last mentioned for beasts or live cattle; and another fair on the day next before the Wednesday next following the 20th day after Christmas, for buying and selling of sheep, and on the Wednesday last mentioned for buying and selling of beasts or live cattle, together with the tolls and profits of the said fairs. Westm., 27 Aug., 7 Anne. Pat. 7 Anne, p. 3, No. 9.

7 Anne 1708, 8 November, Harl. 7348.

For Seroop, Earl of Bridgwater. Grant of four fairs to be held yearly at Brackley, co. Northampton, for the buying and selling of cattle and all manner of goods and wares, one on the Wednesday next after the feast of S. Valentine the Bishop, another on the second Wednesday in April, another on the Wednesday next after the feast of S. Barnabas the Apostle, and another on the Wednesday in the week immediately preceding Michaelmas day, with reasonable piccage and stallage. Westminster, 8 November, 7 Anne. Pat. 7 Anne, p. 4, No. 3.

7 Anne 1708, 29 January, Harl. 7348.

For John Henley, esquire. Grant in fee of a fair to be held yearly upon the downs or hills called Lambert's Castle and Hawkchurch Down, in the parishes of Whitechurch Cannon and Hawkchurch, co. Dorset, upon the Wednesday next before the feast of S. John the Baptist, for the buying and selling of cattle, wares, and merchandizes, with the tolls and profits thereof. Westminster, 29 January, 7 Anne. Pat. 7 Anne, p. 5, No. 9.

7 Anne 1708, 27 October, Harl. 7349.

For Thomas Cowley, gentleman, and Edward Bridge, citizen of London. Grant in fee of two fairs to be held yearly in the town of Donnington, co. Lincoln, one on May 15, and the other on October 6, unless either of such days happen to be Sunday, and then on the Monday

following, for buying and selling all sorts of cattle, goods, and merchandizes, with reasonable toll, piccage, and stallage, and court of piepowder. Westminster, 27 October, 8 Anne. Pat. 8 Anne, p. 4, No. 2.

7 Anne 1708, January 16, Harl. 7349

Parishioners of Chagford, co. Devon. Grant in fee to Andrew Davy and others of a market to be held on Tuesday in every week, in the parish of Chagford, co. Devon, for buying and selling all sorts of provisions, goods, and merchandizes usually sold in markets; the same to be in trust for the use and benefit of the parishioners there. West., 16 Jan., 8 Anne. Pat. 8 Anne, p. 5, No. 13.

7 Anne 1708, June 29, Harl. 7350.

For William Blathwayt, esquire. Grant of a fair to be held on the 11th and 12th days of August yearly, at Lansdowne, co. Somerset, for buying and selling all manner of cattle, goods, wares, and merchandizes, for 95 years from Michaelmas day 1708, with reasonable piccage and stallage. Westm., 29th June 1710. Pat. 9 Anne, p. 3, No. 7.

9 Anne, July 8, Harl. 7350.

For John Harris, of Mount Boone, co. Devon, esquire. Grant in fee of two fairs to be held at a

certain place called the Downs, within his own manor of Norton Dawney, alias Townstall, in the same county, one fair to be held on the 10th, 11th, and 12th days of March, and the other on the 10th, 11th, and 12th days of October yearly, unless any of the said days happen to be Sunday, then on the Monday, Tuesday, and Wednesday following, for the buying and selling of live cattle and all manner of goods, wares, and merchandizes whatsoever, with reasonable piccage and stallage. Westm., 8 July, 9 Anne. (See also Harl. 2264: Docquet. Sealed 10 July 1710. Pat. 9 Anne, p. 3, No. 6.

July 15, Harl. of 250.

For the Mayor, Burgesses, and Commonalty of the city of Bristol. Confirmation of the several privileges, powers, franchises, jurisdictions, and authorities, which they and their ancestors have anciently held and enjoyed, either by prescriptions or by grants and charters from Her Majesty's predecessors; and grant of new powers of electing and swearing the mayor and other officers of the said city, and to alter the present usual days and places of holding their markets, and of appointing such other days and places for holding the same as shall be found profitable and convenient for the said city and strangers frequenting the same. Westm., 15th July, 9 Anne.

XXI.

LISTS OF FAIRS.

LIST of all the FAIRS existing in ENGLAND and WALES in 1792, according to "OWEN'S NEW BOOK OF FAIRS," arranged by COUNTIES, compared in parallel columns with the LIST of FAIRS published for the Year 1888.

COMPARATIVE TABLE OF FAIRS.

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
ANGLESEY:			ANGLESEY:		
Aberfrau - -	March 7 - - - Wednesday after Trinity. October 23. December 11.	—			
Amlwich - -	November 12 - -	—			
Beaumaris -	February 13 - - - Holy Thursday. September 19. December 19.	W. & S.			
			Bodedern - -	March 13 - - - April 16. May 5. June 9. Whit Tuesday (hiring). August 16. September 14. October 1 and 22.	—
Llannerchymedd -	February 5 - - - April 25. St. Mark's Day, May 6. Thursday after Trinity.	W.	Llanerchymedd -	January 1 - - - February 27. March 10. April 4. May 6. June 23. Wed. before August 14. September 13. October 2. November 13.	—
Llanfechell - -	February 25 - - - August 5. November 5. November 26.	—	Llanfechell - -	May 13 - - - August 15. November 5 and 25.	—
			Llangefni - -	January 2 - - - February 28. March 14. April 17. May 7. June 10. August 17. September 15. October 23. And the six markets after All Hallowtide.	—
			Menai Bridge -	May 16 - - - July 27. August 18. September 26. October 24. November 14.	—
Newburgh - -	June 22 - - - August 10 and 21. September 25. November 11.	Tu.			
Pentraoth, Mon. -	May 5 - - - Friday after Trinity. August 16. October 3. November 12.	—	Pentraeth - -	May 5 - - -	—
Porthathway - -	August 26 - - - September 26. October 24. November 14.	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
			ANGLESEA—cont. Trefdraeth - -	May 1 - - - November 1.	—
			Valley - -	April 3 - - - June 22. November 12. December 31.	—
BEDFORDSHIRE :			BEDFORDSHIRE :		
Amphill - -	May 4 - - - November 30.	Th.	Amphill - -	May 4 - - - September 29. November 30.	Th.
Bedford - -	1st Tuesday in Lent - April 21. July 5. August 21. October 11. December 19.	Tu. & S.	Bedford - -	1st Tuesday in Lent - April 21. October 12. November 17. December 19.	S.
Biggleswade - -	February 13 - - - Saturday in Easter. Whit Monday. August 2. November 8.	W.	Biggleswade - -	February 14 - - - Easter Saturday. Whit Monday. November 8.	W.
Dunstable - -	Ash Wednesday - - May 22. August 12. November 12.	W.	Dunstable - -	Ash Wednesday - - May 22. August 12. November 12.	W.
Elstow - -	May 14 and 15 - - November 5 and 6.	—	Elstow - -	May 15 - - - November 5.	—
Harrold - -	Tuesday before May 12 - Tuesday before July 5. Tuesday before October 10.	Th.	Harrold - -	Tuesday before May 13 and before July 6 and October 11.	—
Ichwell - -	April 5 - - -	—			
Leighton-Buzzard -	February 5 - - - Whit Tuesday. July 26. October 24.	Tu.	Leighton-Buzzard -	February 5 - - - 2nd Tuesday in April. Whit Tuesday. July 26. October 24. 1st Tuesday after Dec. 10.	—
St. Leonard's near Bradford.	November 17 - - -	—			
Luton - -	April 18 - - - October 18.	M.	Luton - -	3rd Monday in April and October. September 24.	M. & S.
Odell - -	Th. in Whitsun Week -	—	Odell - -	Whit Thursday - - -	—
Potton - -	3rd Tu. in January (O.S.) Last Tuesday in April. 1st Tuesday in July. Tuesday before October 29.	S.	Potton - -	3rd Tuesday after Jan. 12 Easter Monday. Last Monday in April. 1st Tuesday in July. 1st Tuesday before Oct. 29.	S.
Shefford - -	January 23 - - - Easter Monday. May 19. October 10.	—	Shefford - -	October - - -	F.
Silsoe - -	May 12 - - - September 21.	—	Silsoe - -	May 13 - - -	—
Toddington - -	April 25 - - - 1st Monday in June. September 4. November 2. December 16.	Th.	Toddington - -	April 25 - - - 1st Monday in June. November 2.	S.
Wooburn - -	January 1 - - - March 23. July 13. September 25.	F.	Wooburn - -	January 1 - - - March 23. July 13. October 6.	F.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
BERKSHIRE :			BERKSHIRE :		
Abingdon - -	1st Monday in Lent - May 6. June 20. August 6. September 19. Monday upon Michaelmas (O.S.) (statute). December 11.	M.	Abingdon - -	1st Monday in Lent - May 6. June 20. 1st Monday in July. August 5. September 19. Monday before October 11. December 11.	M. & F.
Aldermaston - -	May 6 - - - July 7. October 18.	F.			
Bracknell - -	April 25 - - - August 22. October 1.	—	Bracknell - -	April 25 - - - August 22. October 1.	—
Chapel Row, near Reading.	July 30 (pleasure) - -	—			
East Hagburn - -	Th. before Mich. (O.S.) - October 10 (pleasure).	—	Cookham - -	May 16 - - - October 11.	—
East Ilsley - -	Wednesday in Easter - August 6. Wednesday after Sept. 21.	—	East Ilsley - -	Variable - - -	—
Farrington - -	February 13 - - - Whit Tuesday. Tuesday before Michael- mas (O.S.) (statute). Tuesday after Michaelmas (O.S.) (statute). October 29.	Tu.			
Finchamstead - -	April 23 - - -	—			
Hungerford - -	Last Wednesday in April August 10. Mon. before Michaelmas (statute). Monday after Michaelmas (statute).	W.	Hungerford - -	Last Wednesday in April August 17. Wednesday before and after October 11.	W.
Lambourn - -	May 12 - - - October 2. December 4.	Th.	Lambourne - -	October 2 - - - December 4.	W.
Long Cromarsh - -	August 2 - - -	—			
Maindenhead - -	Whit Wednesday September 29. November 30.	W.			
Mortimer - -	April 27 - - - November 6.	—	Mortimer - -	April 27 - - - November 6.	—
Newbridge - -	March 31 - - - September 28.	—			
Newbury - -	Holy Thursday - - - July 5. September 3. November 8.	Th.	Newbury - -	Holy Thursday - - - July 5. September 4. Thursday after October 11.	Th.
Oakingham - -	April 23 - - - June 11. October 10. November 2.	Tu.			
Reading - -	February 2 - - - May 1. July 25. September 21.	S.	Reading - -	February 2 - - - May 1. July 25. September 21.	M. & S.
Thatcham - -	2nd Tu. after Easter week Tuesday after Sept. 29.	—	Stanford Dingley - -	Monday after July 26 - -	—
Twyford - -	July 24 - - - October 11.	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
BERKSHIRE—cont.			BERKSHIRE—cont.		
Wallingford -	Tuesday before Easter (pleasure). June 24. September 29 (hiring). December 17.	F.	Wallingford -	September 29 - -	F.
Wadley - -	April 5 - - -	—			
Wantage - -	1st Saturday in March - 1st Saturday in May. July 18. October 10 and 17 (hiring).	S.	Wantage - -	March 1 - - - May 1. 1st Sat. after 11th October.	W. & S.
Waltham, St. Lawrence.	April 10 - - -	—			
Windsor - -	Easter Tuesday - - July 5. October 24.	S.			
			Woburn - -	January 1 - - - March 23. July 13. October 6.	Tu.
			Wokingham -	October 10 - - - November 2 and 3.	Tu.
Yattendon - -	October 13 - - -	—			
BRECKNOCKSHIRE:			BRECKNOCKSHIRE:		
Brecknock - -	May 4 - - - July 5. September 6. November 17.	W. & S.	Brecon - -	1st Tuesday monthly -	—
Builth - -	June 27 - - - October 2. December 6.	M.			
Crickswell - -	May 12 - - -	Th.	Crickhowell - -	May 12 - - - September 22.	Th.
Huy - -	May 17 - - - August 12. October 10.	Th.	Hay - -	1st Thursday in March - Last Thursday in June. October 10. Thursday after Nov. 17. 1st Th. in every month. Th. before Christmas.	—
			Llangynider -	1st Wednesday in April - 3rd Wednesday in June. 3rd Wednesday in Sept. Last Wednesday in Oct.	—
Talgarth - -	March 12 - - - May 31. July 10. September 23. November 3. December 3.		Talgarth - -	February 2 - - - March 12. April 18. May 31. July 10. August 10. September 23. October 13. November 2. December 3.	F.
Trecastle - -	April 5 - - - May 21. August 14. October 14. November 13. December 14.	—			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
BUCKINGHAMSHIRE:			BUCKINGHAMSHIRE :		
Amersham - -	Whit Monday - - September 19.	Tu.	Amersham - -	Whit Monday - - September 19.	Tu.
Aylesbury - -	January 18 - - Sat. before Palm Sunday. May 8. June 14. September 25. October 12.	S.	Aylesbury - -	January 23 - - April 3. May 15. June 19. July 10. September 25. October 9.	-
Beaconsfield - -	February 13 - - Holy Thursday.	Th.	Beaconsfield - -	February 13 - - May 10.	-
Buckingham - -	2nd Mon. after Epiphany (O.S.) March 7. May 6. Whit Thursday. July 10. September 4. October 2. November 8.	S.	Buckingham - -	January 28 - - March 7. May 6. Whit Thursday. July 10. September 4. October 2. Saturday after October 11. November 8.	-
Burnham - -	February 25 - - May 1. October 2 (hiring).	-	Burnham - -	October 2 and 3 - -	-
Chesham - -	April 21 - - July 22. September 28.	W.	Chesham - -	April 21 - - July 22. September 28.	W.
Colnbrook - -	April 5 - - May 3.	Tu.	Colnbrook - -	April 5 - - October 16.	-
Eton - -	Ash Wednesday - -	-			
Fenny Stratford - -	April 19 - - July 18. October 10. November 28.	M.	Fenny Stratford - -	April 19 - - July 18. October 10. November 28. 2nd and 4th Thursday in month.	-
Hanslope - -	Holy Thursday - -	-	Great Marlow - -	October 29 - -	-
Iver - -	July 10 - -	-	Hanslope - -	Holy Thursday - -	-
Ivinghoe - -	May 6 - - October 17.	S.	Iver - -	July 10 - -	-
Lavenden - -	Tuesday before Easter -	-	Ivinghoe - -	May 6 - - October 17.	S.
Little Brickhill - -	May 12 - - October 29.	-			
Marlow - -	May 1, 2, and 3 - - October 29.	S.	Little Brickhill - -	May 12 - - October 29.	-
Newport Pagnell - -	February 22 - - April 22. June 22. August 29. October 22. December 22.	S.			
Oulney - -	Easter Monday - - June 29.	M.	Olney - -	Easter Monday - - June 29. October 13.	-
Risborough - -	May 6 - -	S.	Princes Risboro' - -	May 6 - -	Th.
Stony Stratford - -	August 2 - - Friday before October 10 (hiring). November 12.	-	Stony Stratford - -	August 2 - -	F.
St. Peter's, Charfont	September 4 - -	-			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
BUCKINGHAMSHIRE— cont.			BUCKINGHAMSHIRE— cont.		
Wendover -	May 12 - - - October 2.	Th.	Wendover -	May 12 - - - October 2.	—
Winslow -	March 20 Holy Thursday. August 21. September 22. 1st and 2nd Thursday after Michaelmas (O.S.), and October 10 (hiring).	Th.	Winslow -	Wed. before October 11 and Wednesday after. 1st and 3rd Wednesday in each month.	—
Wooburn -	May 4 - - - November 12.	F.	Wooburn -	May 4 - - - November 12.	—
Wycombe -	Monday before Michael- mas (N.S.) (hiring).	F.			
CAMBRIDGESHIRE:			CAMBRIDGESHIRE:		
Cambridge -	June 24 - - -	W. & S.	Cambridge -	June 24 - - - September 25.	M. & S.
Caxton -	October 12 - - -	Tu.	Chatteris -	Last Friday in April - Friday before October 11.	—
Ely -	Ascension Day - October 29.	S.	Ely -	Last Thursday in May and October.	Th.
Ickleton -	July 22 - - -	—			
Linton -	Holy Thursday - July 30.	Th.	March -	Mon. before Whit Sunday 3rd Tuesday in October.	W.
Marsh -	Whit Monday - June 2. October 27.	F.	Newmarket -	Whit Tuesday November 8.	—
Roach -	Rogation Monday -	—			
Soham -	May 9 - - -	S.	Thorney -	July 1 - - - September 21.	—
Sturbich Fair -	For 14 days from Sep- tember 18.	—	Whittlesea -	June 13 - - -	F.
Thorney -	July 1 - - - September 21.	Tu.	Wisbech -	March 5 - - - 2nd Thursday in May. July 25. August 12. 3rd Wednesday in Sept.	Th.
Whitelsey -	January 25 (Conversion of St. Paul). June 13. October 25.	—			
Wisbich -	Saturday and Monday before Palm Sunday. Mon. before Whit Sunday. Sat. before Whit Sunday. July 25. August 1 and 2.	S.	CARDIGANSHIRE:		
CARDIGANSHIRE:			Archryd -	June 26 - - -	—
Cardigan -	February 13 - - - April 5. September 8. December 19.	Tu. & S.	Cardigan -	February 13 - - - April 5. September 8. November 10. December 19.	S.
Capel St. Silim -	February 7 - - -	—			
Cappel Canron -	Ascension Day - Th. after St. Michael. September 29.	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CARDIGANSHIRE—cont.			CARDIGANSHIRE—cont.		
Deheudd - -	May 9 - - - -	—	Dihewyd (Dalis) -	May 9 - - - November 11.	---
Lampeter -	Whit Wednesday July 10. 1st Monday in August. 1st Monday in September. October 19. 1st Monday in November.	Tu.	Lampeter -	Monthly - - -	
			Leechnyd - -	June 26 - - -	—
			Llanarth - -	January 12 - - - March 12. June 17. September 22. November 10 (hiring).	—
Llandyfell - -	February 11 - - September 19.	—			
Llanarth - -	September 22 - -	Tu.			
Llanwenen -	December 24 - -	—			
Llanwenog -	January 14 - - -	—	Pontrhydfendigaid -	April 29 - - - August 5. August 26. September 25. October 18.	---
Rhos Fair - -	August 5 and 26 October 13.	—			
Tulsarn - -	September 8 - - November 7.	—			
Tregarron - -	March 15, 16, and 17 - 2nd Tuesday in October.	Th.	Tregaron - -	March 16 - - -	Tu.
Ystradmyrick -	July 2 - - - -	—			
CARMARTHENSHIRE:			CARMARTHENSHIRE:		
Aberguilly -	October 2 - - - October 27.	—	Abergwili - -	May 4 - - - October 2 and 27.	—
			Ammanford - -	May 2 - - - September 10.	—
			Capel Gwynfe -	April 28 - - - August 7. November 1.	—
Carmarthen - -	June 3 - - - - July 10. August 12. September 9. October 9. November 14.	W. & S.	Carmarthen -	Monthly - - -	S.
Cayo - -	August 21 - - - October 6.	—			
Drustlwyn - -	July 1 - - - - October 5.	—			
Fairhach - -	November 22 - - -	—			
Kidwelly - -	May 24 - - - - July 22. October 29.	Tu.	Kidwelly -	August 3 and 4 - - October 29 and 30. 1st Monday in December.	—
Llanawnog -	Mon. before Whit Sunday	—			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CARMARTHENSHIRE— cont.			CARMARTHENSHIRE— cont.		
Llanely	November 8	—	Llanddang	1st Monday after May 20 September 27.	—
Llanelly	Ascension Day - September 30.	Th.	Llanelly	Ascension Day - September 30.	Th.
Llandibea	Whit Wednesday	—	Llandebie	Whit Wednesday - July 16. December 26.	—
			Llandilo-fechan	June 12	—
			Llandilo-fawr	February 20 - Palm Monday. May 5 and 14. June 21. August 23. September 28. November 12 and 23. Monday before Dec. 25.	—
Llandoverly	Wed. after Epiphany - Wed. after Easter week. Whit Tuesday. July 31. Wednesday after Oct. 10. November 26.	S.	Llandoverly	January 16 - February 16. March 24. April 17. May 15. June 19. August 2. September 8. October 22. November 16. December 15.	F.
Llandiloe	June 21	Tu.			
Langhorne	May 6 (called St. Mark's Fair). June 19. September 28. November 11 (called St. Martin's Fair).	—			
Langadock	March 12 - Ascension Day. July 9. 1st Thursday in Sept. December 11.	—	Llangadock	March 12 and 13 - Last Thursday and Friday in May. July 9 and 10. 1st Thursday and Friday after September 11. 2nd Thursday and Friday after October 11. December 5 and 6.	3rd Tu.
Langindairne	August 5	—			
Llangenoech	October 23	—	Llangennech	June 16 - October 23.	—
Lancn	December 10	—	Llanon	July 6 - December 12.	—
Lansadwin	October 5	—			
Lansawel	1st Friday after May 12 - July 26. October 28.	—	Llansaint	1st Monday in April	—
Lanvichangei	May 12 - October 10.	—			
Lanwinio	November 12	—	Llanybyther	July 17 - October 18 and 31. November 1, 20 and 21.	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CARMARTHENSHIRE— <i>cont.</i>			CARMARTHENSHIRE— <i>cont.</i>		
Llanybidder - -	July 17 - - November 1. November 21.	—			
Little Mountain -	May 12 - - November 12.	—			
Mwyras - -	August 21 - -	—	Mothvey - -	June 18 - - November 5.	—
Mydrim - -	March 12 - -	—			
Newcastle - -	June 22 July 18. November 22.	F.	Newcastle Emllyn -	January 18 - - February 10. March 22. April 14. May 10. June 16. July 14. August 20. September 20. October 21. November 11 and 22. December 20.	—
Pentre - - -	May 12 - - October 10.	—	Pembrey - -	June 11 - -	—
Penybout - -	December 5 - -	—	Penedrreg - -	October 11 - -	—
Three Lords - -	Ascension Day - November 12.	—	Talley - -	August 7 and 8 - -	—
CARNARVONSHIRE:			CARNARVONSHIRE:		
Aberconway -	April 6 - - September 4. October 10. November 8.	F.			
Aberwingregin -	August 18 - - October 25. November 21.	—			
Bangor - -	April 5 - - June 25. October 28.	F.			
Beddgelert - -	August 18 - - September 23.	—	Beddgelert - -	September 21 - -	—
Bettws - -	May 15 - - December 3.	—			
Borth - -	August 26 - -	—			
Carnarvon - -	February 25 - - May 16. August 4. December 5.	S.	Brynkir - -	February 18 - - April 30. October 19.	—
Clynnogfawr -	August 18 - - September 23.	—			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CARNARVONSHIRE— cont.			CARNARVONSHIRE— cont.		
			Conway - - -	February 5 - - - March 26. April 23. May 7. June 20. August 18. September 13. November 15. December 22.	—
Criccieth - - -	May 23 - - - July 1. October 18.	W.	Criccieth - - -	April 29 - - - May 23. June 29. September 25. October 22.	
			Four Crosses - - -	February 20 - - - April 13. October 21. Thursday before 1st Friday in December.	—
Llandelchyd - - -	October 30 - - -	—			
Newin - - -	April 4 - - - Sat. before Whitsuntide. August 25.	S.			
Penmachno - - -	August 23 - - - September 21.	—			
Penmorfa - - -	August 20 - - - September 25. November 12.	•	Penmorfa - - -	March 16 - - - May 14. August 14. September 25. November 12.	—
			Portmadoc - - -	Horses.	
Pwllhely - - -	May 13 - - - August 19. September 24. November 11.	W.	Pwllhely - - -	March 15 - - - May 1, 13, and 22. June 28. August 13. September 24. November 1 and 11.	W
Rhydallafay - - -	June 29 - - -	—			
Sarnfoldyrn - - -	June 27 - - -	—			
Talybont - - -	May 7 - - - September 8. November 7.	—			
Trefrhiew - - -	May 12 - - - September 3. November 7.	—			
			Tremadoc - - -	February 19 - - - April 13. 2nd Friday in December.	F.
CHESHIRE:			CHESHIRE:		
Altringham - - -	April 22 - - - August 5. November 22.	Tu.	Altringham - - -	August 5 - - -	—
			Astbury - - -	Last Friday in April and October.	—
Budworth - - -	February 13 - - - April 5. October 2.	—			
Chester - - -	Last Thursday in Feb. - July 5. October 10.	W. & S.	Chester - - -	1st and 3rd Thursday in January, February, July, August. March, 4, 18, and 31. 2nd and 4th Thursday in April, May, June, Oc- tober, November; 1st, 3rd, and 4th in Septem- ber; 2nd and 3rd in December.	3rd W. in month.

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CHESHIRE—cont.			CHESHIRE—cont.		
Congleton -	Th. before Shrovetide - May 12. July 13. December 3.	S.	Congleton -	Th. before Shrovetide - May 12. July 13. November 22.	S.
Frodsham -	May 15 - - - August 21.	W.	Frodsham -	Last Tuesday in April and last Th. in October.	—
Halton -	Old Lady-Day, April 5 -	S.			
Knutsford -	Whit Tuesday - - July 10. November 8.	S.	Knutsford -	April 23 - - - Whit Tuesday. November 8.	S.
			Lymm -	April 3 - - - November 5.	—
Macclesfield -	May 6 - - - June 22. July 11. October 4. November 11.	M.	Macclesfield -	3rd Tuesday in February March 6. April 4. May 6. June 22. July 11. August 12. September 4. October 4, and 3rd Tues- day, and 21. November 11. December 23.	Tu. & S.
Malpas -	April 5 - - - July 25. St. James. December 8.	M.			
Middlewich -	St. James - - - July 25. Holy Thursday.	Tu.	Middlewich -	Last Tuesday in February, April, and October.	T.
Nantwich -	March 15 - - - September 4. December 16.	S.	Mottram -	April 27 - - - October 31.	—
			Nantwich -	1st Saturday after Feb. 2 March 26. 2nd Tuesday in June. September 4. December 4. 1st Saturday in each month except January.	—
Northwich -	August 2 - - - December 6.	S.	Northwich -	April 10 - - - August 2.	F
			Over -	1st Wed. after May 12 - 1st Wed. after Sept. 20.	—
			Prestbury -	April 28 - - - October 22.	—
			Runcorn -	Whit Mon. and Tu. - 1st week in November.	
Sandbach -	Easter Tuesday - - 1st Th. after Sept. 10.	Th.	Sandbach -	Easter Tuesday - - 1st Thursday after Sep- tember 11. December 28.	Th.
Stockport -	March 4 - - - March 25. May 1. October 25.	F.	Stockport -	January 1 - - - 1st Friday in February. March 4 and 25. May 1. 1st Friday in June. July 9. 1st Friday in August. 1st Friday in September. October 23. 1st Friday in December.	F.
Tarperley -	May 1 - - - Monday after St. Bar- tholomew (Aug. 24). December 10.	W.	Tarporley -	May 1 - - - August 1. 1st Monday after Aug. 24. December 11.	—
			Tattenhall -	May 18 - - - November 21.	—

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
			CHEESHIRE—cont.		
			Winsford - -	May 8 - - November 25.	S.
			Woodhead - -	1st Wednesday after Sep- tember 25. November 2.	—
CORNWALL:			CORNWALL:		
St. Austle - -	Whit Tuesday - - November 30.	F.	Blisland - -	1st Monday after Sep- tember 22.	—
Bodmyn - -	January 25 - - Saturday se'nnight before Easter. Palm Fair. Tuesday and Wednesday before Whit Sunday. December 6.	S.	Bodmin - -	January 25 - - Tuesday and Wednesday before Whit Sunday. December 6.	S.
Bolingey - -	March 5 - - - -	—			
Boscastle - -	August 5 - - - - November 22.	Th.	Boscastle - -	August 5 - - - - November 22.	—
Boyton - -	Monday fortnight after Lammas Day. August 1.	—	Boyton - -	3rd Monday in August -	—
			Bridgend - -	3rd Tuesday in January and February.	—
St. Blazey - -	February 2 - - - -	—			
Cambron - -	February 29 - - - - November 11.	—	Camborne - -	March 7 - - - - Whit Tuesday. June 29. November 11.	S.
Camelford - -	Friday after March 10 - May 26. July 17. September 5.	—	Camelford - -	1st Friday after March 10 May 26. July 17. September 6. 2nd Friday in November.	F.
St. Columb - -	Thursday after Nov. 13 - Thursday in Mid-Lent.	Th.	Canworthy - -	1st Wednesday in June - September 18.	—
East Looe - -	February 13 - - - - July 10. September 4. October 10.	S.	Dubwalls - -	March 2 - - - - November 2.	—
Falmouth - -	July 27 - - - - October 10.	Th.			
Fowey - -	Shrove Tuesday - - - May 1. September 10.	S.	Five Lanes - -	July 5 - - - - October 28.	—
St. Germans - -	May 28 - - - - August 1.	F.			
Goldfithnay - -	August 5 - - - -	—			
Grampound - -	January 18 - - - - March 25. June 11.	—			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CORNWALL—cont.			CORNWALL—cont.		
Helstone - -	Saturday before Mid-Lent Sunday. Sat. before Palm Sunday. Whit Monday. July 20. September 9. November 8. Second Saturday before Christmas Day.	S.	Helston - -	July 20 - - - - September 9.	—
St. Ives - -	Saturday before Advent -	S.			
Kellington - -	May 4 - - - - September 19. November 12.	W.			
Kilhampton - -	Holy Thursday and three weeks after.	—	Lane, St. Columb -	May 31 - - - -	—
			Lanreath - -	Three weeks - - - - Shrove Tuesday. May 21. November 18.	—
Launceston -	1st Thursday in March (free market). 3rd Thursday in April (free market). Whit Monday. Old Midsummer Day (July 5). St. Leonard's Fair (November 17). St. Catherine's Fair, (December 6).	S.			
St. Lawrence -	August 10 - - - - October 29.	—			
Lelant - -	August 15 - - - -	—			
Liskeard - -	Monday fortnight before Christmas Day. Shrove Monday. Monday se'nnight before Easter. Holy Thursday. August 15. October 2.	S.	Liskeard - -	October 2 - - - - 2nd Mon. in every month except October.	—
Londrake -	June 29 - - - - August 24.	—			
Lostwithell -	June 29 - - - - August 24. November 18.	F.	Lostwithiel - -	3rd Tuesday monthly -	F.
			Marazion - -	September 29 - - -	—
Manhenit - -	April 23 - - - - June 11. July 28.	—	Marhamchurch -	Thursday before March 25 August 12.	—
Marketjew -	Three weeks before Easter Eve. September 29.	Th.			
Melbrooke - -	May 1 - - - - September 29.	—			
St. Mitchell, or St. Michael.	October 15 - - - -	—	Mitchell - -	October 15.	
Padstow - -	April 18 - - - - September 21.	S.	Padstow - -	Tuesday nearest 1 May -	S.
			Penrose, St. Ervan	May 25 - - - -	—
Penryn - -	May 12 - - - - July 7. December 12.	W., F., & S.	Penryn - -	March 8 - - - - May 13. July 8. October 3. December 21.	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CORNWALL—cont. Penzance - -	Thursday after Advent - Thursday after Trinity Sunday. Corpus Christi.	Th.	CORNWALL—cont. Penzance - -	Corpus Christi - -	Th. & S.
Plint - -	June 24 - - -	—	Poundscross - -	Last Mon. in November -	—
Probus - -	May 4 - - - July 5. September 17.	—	Praye Crowan - -	July 15 - - -	—
Redruth - -	May 2 - - - July 9. September 5. October 12.	F.	Redruth - -	Easter Tuesday - - May 2 and 30. August 3. October 12.	Tu., F., and S.
Saltash - -	February 2 - - July 25.	S.	Roche - -	May 6 - - - July 16. October 8.	—
			St. Austell - -	Thursday before Easter - Whit Thursday. Friday after July 23. 1st Friday after Oct. 16. November 30.	F.
			St. Blaze - -	February 2 - - - July 5.	S.
			St. Breward - -	1st Thursday after June 24 Thursday nearest Sept. 25.	—
			St. Columb Major -	March 11 and 20 - - November 20.	Th.
			St. Columb Minor -	June 9 - - -	Th.
			St. Lawrence - -	August 21 - - - October 29.	-
			St. Merryn - -	May 10 - - -	—
Stratton - -	May 19 - - - November 8. December 11.	T.	St. Tudy - -	May 20 - - - September 14.	—
St. Stephens - -	1st Wednesday in Feb. - May 12. July 31. September 25.	—	Stokeclimland - -	Last Monday in May -	—
St. Tudey - -	May 20 - - - September 14.	—	Summercourt - -	September 25 - - -	—
Sumer-Court - -	Holy Thursday - - September 25.	—	Tintagel - -	October 25 - - -	—
Treganetha - -	May 6 - - - August 12.	—	Tregonetha - -	May 6 - - - August 1.	—
Tregcny - -	Shrove Tuesday - - May 3. July 25. September 1. November 6.	S.			
Tresillian Bridge	Monday before Whit Sun- day, unless it falls on 12th May, then Mon- day fortnight before Whitsun.	—			
Trevena - -	October 19 - - -	—			
Trew - -	Holy Thursday - - July 25.	—			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CORNWALL—cont.			CORNWALL—cont.		
Trewenn - -	May 1 - - - October 10.	—			
Truro - -	Wednesday in Mid-Lent - Wednesday in Whit-week. November 19 December 8.	W. & S.	Truro - -	Wednesday after Mid-Lent Whit Wednesday. November 19. December 3.	W. & S.
Wadebridge -	May 12 - - -	—	Wadebridge -	June 22 - - - 2nd Tuesday monthly.	T.
			Wainhouse Corner	Monday before Lady Day June 24. September 29. 1st Monday in November.	—
Week St. Mary -	September 19 - - Wednesday, three weeks before Christmas Day.	—	Week St. Mary -	July 29 - - - September 15. Wednesday before Christ- mas Day.	—
West Looe - -	May 6 - - -	—			
CUMBERLAND:			CUMBERLAND:		
Abbey Holm -	October 29 - - -	S.	Abbey Holme -	Tu. before Whit Sunday - October 29.	W.
Alston Moor -	Last Thursday in May - 1st Thursday in Sept.	S.	Alston -	3rd Saturday in March - Saturday before April 23. Last Thursday in May. Saturday on or before September 27. Saturday on or before October 18. 1st Thursday in November	S.
			Armathwaite -	April and October, varies	—
			Boonwood -	April 25 - - - August 12. October 18.	—
Bootle - -	April 5 - - - September 24.	W.	Bootle - -	April 26 - - - September 24.	—
Brampton -	2nd Wednesday after Whit Sunday. Last Wednesday in Aug.	Tu.	Brampton -	April 20 - - - Trinity Wednesday. 2nd Wednesday in Sept. October 23.	—
Carlisle -	August 26 - - - September 19. 1st and 2nd Saturday after October 10.	S.	Carlisle -	2nd Saturday in Feb. - Sat. before Whit Sunday. August 26. September 19. Saturday nearest Nov. 11.	S.
Cockermouth -	1st Monday in May - October 10.	M.	Cockermouth -	February 2 and 18 - 1st Wed. after April 16. 1st Wednesday in May, and every alternate Wednesday to June 30. Whit Monday. August 2. 1st Wed. after Aug. 17. 1st Wed. after Sept. 20. 2nd Wednesday in Oct. November 11. 1st Friday monthly, except February and October.	—
			Croglin - -	August 18 - - -	—
Egremont -	September 19 - -	S.	Egremont -	February 17 - - - 3rd Friday in May. Whit Sunday. September 18. November 11.	S.
			Eskdale -	2nd Monday in September	—
			Hesket New Market	1st Friday in May - Thursday before Aug. 2nd Thursday in Oct.	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
CUMBERLAND—cont.			CUMBERLAND—cont.		
Ireby - - -	February 24 - - -	Th.	Ireby - - -	Friday nearest April 18 - October 18.	Th.
Keswick - - -	August 2 - - -	S.	Keswick - - -	Whit Saturday (hiring) - October 11. 1st Saturday after Oct. 29. Martinmas Sat. (hiring).	—
Kirkoswald - -	Th. before Whit Sunday - August 5.	Th.			
Longtown - -	Th. after Whit Sunday - Thursday after Martinmas. November 22.	Th.	Longtown - -	June 6 - - - December 26.	Th.
			Maryport - -	Fri. before Whit Sunday - November 12.	F.
			Netherwasdale -	September 1 - -	—
Penrith - - -	April 25 and 26 - - - Whit Tuesday. September 27. November 11.	Tu.	Penrith - - -	About 30 in the year -	Tu.
Raven Glass -	June 8 - - - August 5.	S.	Ravenglass - -	May 6 - - - June 8. August 5.	—
			Renwick - - -	September 26, if Thursday	—
Roseby Hill - -	Whit Monday and every fortnight after till Sep- tember 29.*	—	Rosley Hill -	Whit Monday - - - June 14 and 28. August 12 and 26.	—
Ulpho - - -	Monday before Easter - July 5.	—			
Whitehaven	August 1 - - -	Tu.	Whitehaven -	Th. in Whitsun week - 1st Th. after Nov. 11.	Th. & S.
Wigton - - -	March 25 - - -	Tu.	Wigton - - -	February 20 - - - April 5.	Tu.
Workington - -	Wednesday before Holy Thursday. October 18.	Tu.	Workington - -	Wednesday before Holy Thursday. October 18.	W. & S.
DENBIGHSHIRE:			DENBIGHSHIRE:		
Abergely - - -	April 2 - - - Day before Holy Th. August 20. October 9.	S.	Abergele - - -	February 12 - - - April 2. May 4. June 18. July 18. August 20. October 9. November 18. December 6.	S.
Cloeaynog - -	Easter Tuesday - - - October 24.	—			
Ceriggy Druidion -	April 27 - - - August 27. October 20. December 7.	—			
Chirk - - -	2nd Tuesday in February 2nd Friday in June. November 12.	—	Chirk - - -	February 10. June 10. August 12. November 12.	S.
Denbigh - - -	May 14 - - - July 18. September 25.	W.	Denbigh - - -	2nd Tuesday and Wednes- day monthly.	W.
Egglwysfach -	February 24 - - - May 11. August 24. November 24.	—			
Gressford - -	2nd Monday in April - Last Monday in August. 1st Monday in December.	—			

* "These meetings are much regarded by the breeders of cattle, and are called 'Fortnight Fair Days'."

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DENBIGHSHIRE—cont.			DENBIGHSHIRE—cont.		
Gwthrln - -	May 6 - - -	—			
Holt - - -	June 22 - - - October 29.	—			
Llandelga - -	March 11 St. Mark. April 25. June 23. August 4. October 26.	—			
Llanelion - -	Monday after Easter Week July 26. October 5. December 8.	—			
Llaugerniew - -	March 29 - - - May 16. June 29. September 29. November 29.	—			
Llangellon - -	Last Friday in January - March 17. May 31. August 21. November 22.	—			
Llanrhiad Dyffn-Alwyd.	October 17 - - -	—			
Llanrhiader -	May 5 - - - July 24. September 28. November 8.	—	Llanrhaiadrynmoch-nant.	January 1 - - - 1st Friday in March, May, and June. 2nd Tuesday in July. July 24. September 28. October 18. November 8.	—
Llansannon - -	May 18 - - - August 17. - - - October 26. November 30.	—			
Llamamon in Yale -	July 30 - - - October 19.	—			
Llanwrst - - -	April 25 - - - June 21. August 9. September 17. December 11.	Tu.			
Llanufydd - - -	March 18 - - - May 12. August 14. November 20.	—			
Nantglyn - - -	May 6 - - - October 27.	—			
Ruabon - - -	Last Friday in February - May 22. November 20.	M.	Ruabon -	Last Friday in February - 1st Monday in March, June, September, No- vember, and December, and 3rd Monday in May. May 22. November 20.	—
Ruthin - - -	March 19 - - - Fri. before Whit Sunday. August 8. September 30. November 10.	M.			
Sputty - - -	May 21 - - - July 3. September 27. October 23. December 2.	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DENBIGHSHIRE—cont. Wrexham -	March 23 - - - Holy Thursday. June 6. September 19.	M. & Th.	DENBIGHSHIRE—cont. Wrexham -	January 12 and 26 February 9 and 28. March 8 and 22. April 19. May 3, 17, and 31. June 14 and 28. July 12 and 26. August 9 and 23. September 6 and 20. October 4. November 1, 15, and 29. December 13 and 27.	
DERBYSHIRE: Alfreton -	July 31 - - - November 22 (statute).	F.	DERBYSHIRE: Alfreton -	July 31 - - -	F.
Ashborne -	February 13 - - - April 3. May 21. July 5. August 16. October 20. St. Andrew's Eve (Nov. 29).	S.	Ashbourn -	February 13 - - - May 21. August 16. October 20. November 29.	S.
Ashover -	April 25 - - - October 15.	—	Ashover -	April 25 - - - October 15. Monday before Martinmas Day.	—
Bakewell -	Easter Monday - - - Whit Monday. August 29. Monday after Oct. 10. Monday after Nov. 11.	M.	Bakewell -	Easter Monday - - - Whit Monday. August 26. Monday after October 10, and 1st Monday after November 11.	M. & F.
Balsover -	Easter Monday - - -	F.			
Bilpar -	May 12 - - - October 31.	—	Belper -	October 31 - - -	S.
			Buxton -	Monday before Thursday preceding February 14. March 28. April 1. April 29. May 2. Monday before 2nd Wednesday in Sept. October 28.	—
Chappel-in-le-Frith	Thursday before Feb. 13 - March 24. March 29. Thursday before Easter. April 30. Holy Thursday and three weeks after. July 7. Thursday before Aug. 24. Thursday after Sept. 29. Thursday before Nov. 11.	Th.	Chapel-en-le-Frith -	Thursday before Feb. 14 March 3 and 29. Thursday before Easter. April 30. Holy Thursday and Thurs- day three weeks later. July 7. Thursday after Oct. 11. Thursday before Nov. 23.	—
Chesterfield -	January 27 - - - St. Paul. January 27. February 28. 1st Saturday in April. May 4. July 4. September 25. Last Saturday in Nov.	S.	Chesterfield -	January 27 - - - February 28. 1st Saturday in April. May 4. July 5. September 25 November 25.	S.
			Clay Cross -	Wed. before March 25. 2nd Wednesday in Nov. Wednesday before Christ- mas Day.	S.

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DERBYSHIRE—cont.			DERBYSHIRE—cont.		
Critch - - -	Old Lady Day - - Old Michaelmas Day.	—	Crich - - -	1st Monday in January - April 6. October 11.	—
Cubley - - -	November 30 - - -	—			
Darley Flash - -	May 18 - - - October 27.	—			
Derby - - -	January 25 - - - March 21 and 22. Friday, Easter Week. Friday after May Day. Friday in Whit Week. St. James. July 25. September 27, 28, and 29. Friday before Old Michaelmas.	F.	Derby - - -	Friday in Easter week - Friday in Whitsun week. Cheese, 1st Tuesday in February, April, June, August, October, and December.	F.
Dronfield - - -	April 25 - - -	Th.	Dronfield - - -	April 5 - - - November 3.	—
Duffield - - -	March 1 - - -	—	Duffield - - -	Thursday after January 1 March 1.	M. & F.
			Glossop - - -	May 6 - - - 1st Wed. after Oct. 10.	S.
			Hartington - - -	November 26 - - -	—
			Hayfield - - -	May 12 - - - October 10.	—
Higham - - -	1st Wednesday after New Year's Day.	F.	Higham - - -	Wednesday after New Year's Day.	—
Hope - - -	May 12 - - - September 29.	—	Hope - - -	May 13 - - -	—
Matlock - - -	February 25 - - - May 9. July 16. October 24.	—	Matlock - - -	February 25 - - - April 2. May 9. October 24.	—
Newhaven - - -	October 30 - - -	—	Newhaven - - -	Tuesday before 2nd Wed- nesday in September. October 30.	—
Pleasley - - -	May 6 - - - October 29.	—			
Ripley - - -	Wed. in Easter Week - October 23.	—	Ripley - - -	Wed. in Easter week - October 23.	—
Sawley - - -	November 12 - - -	—			
Tidswell - - -	May 3 - - - 2nd Wednesday in Sept. October 29.	W.	Tidswell - - -	March 24 - - - May 15. 2nd Wednesday in Sept. October 29.	—
Winster - - -	Easter Monday - - -	S.			
Wirksworth - -	Shrove Tuesday - - - May 12. September 8. October 4 and 5.	Tu.	Wirksworth - -	Shrove Tuesday - - - Easter Tuesday. 2nd Tuesday in May. 2nd Tuesday in September 3rd Tuesday in November.	T.
DEVONSHIRE :			DEVONSHIRE :		
Alphington - -	1st Thursday in June - October 5.	—	Ashburton - -	March 1 - - - June 7. August 14. November 13.	—
Ashburton - -	1st Thursday in March - 1st Thursday in June. August 10. November 11.	S.			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DEVONSHIRE—cont.			DEVONSHIRE—cont.		
Axminster - -	St. Mark - - - April 25. Wednesday after June 24. 1st Wed. after October 10.	S.	Axminster - -	April 27 - - - 1st Tuesday in June. October 13.	Alternate Th.
Bampton - -	Whit Tuesday - - - October 24.	S.	Bampton - -	Whit Tuesday - - - Last Thursday in October. Wed. before March 25. Last Wednesday in Nov.	—
Barnstaple - -	September 19 - - - Friday before April 21.* 2nd Friday in December.*	—	Barnstaple - -	Wed. before Sept. 20 - -	F.
Bideford - -	February 14 - - - July 18. November 13.	Tu.			
Bishop's Nympton -	3rd Monday in April - Monday before Oct. 25.	—			
Bovey Tracey - -	Holy Thursday - - - July 7.	—			
Bow - - -	Holy Thursday - - - November 22.	Th.			
			Bratton-Clovelly -	2nd Tuesday in May - 1st Tuesday after Oct. 19.	—
Brent - - -	Last Tuesday in April - May 13. October 10.	S.	Brent - - -	Last Thursday in April - Last Tuesday in Sept.	—
Broadclift - -	May 3 - - -	—			
Broadhembury - -	November 30 - - -	—			
Broadworthy - -	September 9 - - -	—			
Buckfastleigh - -	June 29 - - - August 24.	—	Buckfastleigh -	3rd Thursday in June 2nd Thursday in Sept.	S.
Buckland - -	Whit Tuesday - - - November 2.	—			
Chawley - - -	Easter Tuesday - - - May 16. December 11.	—			
Chegford - - -	March 25 - - - May 4. September 29. October 29.	—			
Chimley - - -	August 1 - - -	W.			
Chudleigh - - -	Easter Tuesday - - - June 29. October 2.	S.			
			Chulmleigh - -	April 28 - - - July 28.	—
Churchingford - -	January 25 - - - Last Friday in March. Last Friday in April.	—	Churchingford -	January 25 - - - Last Friday in April.	—
Columpton - - -	May 12 - - - October 28.	S.			
Colyford - - -	March 1 - - - 2nd Wednesday in May.	—			
			Colyton - - -	3rd Tuesday in April - 2nd Tuesday in October.	—
Crediton - - -	May 11 - - - August 21. September 21.	S.	Crediton - - -	April 24 - - - August 22. September 20, if Tuesday, Wednesday, or Thurs.	S.
Culliton - - -	1st Wednesday in May - November 30.	Th.	Cullompton - -	1st Wednesday in May and November.	S.

* It is noted that these are "as considerable as fairs," but they are called great markets, because "there is no charter to hold fairs on these days."

LIST OF 1799.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DEVONSHIRE—cont.			DEVONSHIRE—cont.		
Culmstock -	May 21 - - - October 1.	—	Culmstock -	May 21 - - - -	—
Dalwood - -	1st Wed. before August 24.	—	Dawlish - -	3rd Mon. in each month -	—
Denbury - -	September 8 - -	—			
Dolton - -	Wed. before March 25 November 20.	—	Exbourne - -	3rd Monday in April -	—
Ermington - -	February 2 - - -	—	Exeter - -	3rd Wednesday in Feb. - 1st Thursday and 3rd Wednesday in May. Last Wednesday in July 1st Thursday in October. 2nd Wednesday in Dec.	F.
Exbourn - -	3rd Monday in April -	—			
Exeter - -	Ash Wednesday - Whit Monday. August 1. December 6.	W., F., & S.			
Hartland - -	Easter Wednesday - September 25.	S.	Hatherleigh -	May 21 - - - - June 22. September 4. November 8.	T.
Hatherleigh -	May 22 - - - - June 22. September 4. November 8.	F.			
Highhickington -	May 2 - - - - December 21.	—	Holsworthy -	July 10, 11, and 12 -	W.
Holsworthy -	April 27 - - - - July 10. October 2.	S.	Honiton - -	Wednesday after July 19	S.
Honiton - -	June 28 and 29 - - Wednesday after July 19.	S.			
High Budleigh -	Good Friday - -	—	Kingsbridge	July 20, or 1st Thursday after.	—
Kilmington -	1st Wednesday in Sept. -	—			
Kingsbridge -	1st Tuesday after June 10 July 29. September 21.	S.			
Lifton - -	Candlemas February 2. Holy Thursday. St. Simon and Jude. October 28.	—			
Membury - -	August 10 - - -	—			
Modbury - -	May 4 - - - -	Th.			
Morbath - -	Monday after August 24 -	—			
Moreton Hamstead	1st Saturday in June* - July 18.* St. Andrew (Nov. 30).*	S.			
Newton Abbot -	Last Wednesday in Feb. - June 24. 1st Wednesday in Sept. November 6.	W.	Newton Abbot -	1st Wed. after Sept. 14 -	W. & S.
Newton Peppleford -	October 18 - - -	—			
North Moulton -	3rd Tuesday after May 11 November 12.	—	North Molton	Wednesday after May 12 Last Wednesday in Oct.	—
North Tawton -	3rd Tuesday in April - October 3. December 18.	—	North Tawton -	3rd Tuesday in April - Last Thursday in February, June, and August. 2nd Tuesday in October. 1st Tuesday in December.	—
Norton - -	March 10 - - - - October 10.	—			

* Called "great markets," because there was no charter for fairs, as at Barnstaple.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DEVONSHIRE—cont. Oakhampton	2nd Monday after Mar. 11 May 14. 1st Wednesday after July 5. August 5.	—	DEVONSHIRE—cont. Okehampton	March 23 May 11. June 29. August 3. September 14. October 14.	1st S. monthly.
Otterton	Wednesday in Easter week 1st Wed. after Oct. 10.	—			
Ottery St. Mary's	1st Tuesday in every month Shrove Tuesday. Tuesday after October 18.	T.	Ottery St. Mary	Last Tuesday in March and 3rd Tuesday in September.	Th.
Plymouth	February 5 October 2.	M. & Th.	Plymouth	1st Monday in April and November.	Tu., Th., and S.
Plympton	February 25 April 5. August 12. October 28.	S.	Plympton	1st Monday every month.	—
Sampford Peverel	Last Wednesday in April August 29.	—	Sampford Peverell	Monday before last Wed. in April.	—
Seaton	March 1	—			
Sheepwash	April 10 August 12. October 10.	—	Sheepwash	Thursday before 3rd Sun- day in March. Thursday before Oct. 10.	—
Sidmouth	Easter Tuesday Monday after St. Giles's Day. September 1.	—			
Silverton	July 5 September 4.	—			
South Moulton	Saturday after Feb. 13 Saturday before May 1. Wednesday before June 22. Wednesday after Aug. 26. Saturday before Oct. 10. Saturday before Dec. 12.	—	South Molton	3rd Wednesday in June Wednesday after Aug. 25.	S.
Tavistock	January 17 May 6. September 9. October 10. December 11.	S.	Tavistock	2nd Wednesday monthly	F.
Teignmouth	3rd Tuesday in January Last Thursday in Feb. September 29.	—			
Thaverton	Monday after St. Thomas & Becket (July 7).	—			
Thorncomb	Easter Tuesday	S.			
Tiverton	Tuesday fortnight after Whitsun. September 29.	T.	Tiverton	1st Thursday in June and October.	Tu.
Torrington	May 4 Whit Tuesday. July 5. October 10.	S.	Torrington	3rd Saturday in March 1st Thursday in May. 2nd Thursday in October.	S.
Totness	1st Tuesday in every month Easter Tuesday. May 12.* July 25. 1st Tuesday in October.	S.	Totnes	May 12 October 28.	S.
Uffculme	Wed. before Good Friday July 6. August 12.	W.	Uffculme	2nd Monday in April, June, August, October, and December.	—
Underwood	July 5	—			
Upothery	3rd Saturday in March October 24.	—	Upottery	Tuesday before Lady-Day	—
Wimple	Monday fortnight after September 1.	—			

* "Great markets," there being no charter for a fair.

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DEVONSHIRE—cont. Witheridge -	June 24* - - Wednesday before Apr. 16.*	—	DEVONSHIRE—cont. Witheridge - -	Last Thursday but one in April, Thursday after June 24 and Sept. 21. 1st Thursday in Nov.	—
DORSETSHIRE: Abbey Milton, or Milton Abbey.	Tuesday after July 25 -	—	DORSETSHIRE :		
Abbotsbury -	July 10 - - -	Th.			
Allington -	July 22 - - -	—			
Bailey-ridge -	March 26 - - - May 1. September 3.	—			
Beaminster, New -	April 4 - - - October 9.	—	Beaminster - -	September 19. - -	Th.
Blandford -	March 7 - - - July 10. November 8.	S.	Blandford - -	March 7 - - - Saturday nearest July 10, September 9, and No- vember 8.	—
Bridport - -	April 5 - - - Whit Monday. Tuesday and Wednesday. October 10.	S.	Bridport - -	April 6 - - - October 11.	W. & S.
Broadway - -	Wednesday before Sept. 18	—			
Castleton - -	Every Thursday fortnight after March 5.	—			
Cerne Abbey -	March 19 - - - Mid-Lent Monday. Holy Thursday. October 2.	W.			
Corfe Castle - -	May 12 - - - October 19.	Th.	Corfe Castle - -	May 12 - - - October 29.	—
Cranborne - -	August 24 - - - December 6.	Th.			
			Crewkerne - -	September 4 - - -	—
Dorchester - -	February 13 - - - Trinity Monday. July 5. August 5.	W. & S.	Dorchester - -	February 14 - - - July 6. August 6. September 29. October 25.	W. & S.
Emmergreen - -	Tuesday before Holy Thursday.	—			
Evershot - -	May 12 - - -	S.	Evershot - -	May 12 - - - November 21.	—
Farnham - -	August 21 - - -	—			
Frampton - -	March 4 and 7 - - - August 1. September 4.	—			
Gillingham - -	Trinity Monday - - - September 1.	—	Gillingham - -	Trinity Monday - - - September 18.	Alternate Mondays.
Hermitage - -	August 26 - - -	—			
Holt-wood - -	August 6 - - -	—			
Lambert Castle -	Wed. before June 24 - - - Wed. nine weeks after.	—	Lambert's Castle -	3rd Wednesday in June - September 18.	—
Lyme - -	February 13 - - - October 2.	S.			
			Lyme Regis - -	1st Tuesday after Feb. 2. 1st Tuesday after Sept. 29.	Tu. & F.
Maiden Newtown -	March 9 - - - May 4.	—	Maiden Newton -	March 9 - - - May 4.	—

* "Great markets," there being no charter for a fair.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DORSETSHIRE—cont.			DORSETSHIRE—cont.		
Martin's Town -	December 3 - - -	—	Martin's Town -	November 23 - - -	—
Milbourn -	November 30 - - -	—	Milborne -	October 28 - - -	—
Ower-mayne -	October 10 - - -	—			
Poole - - -	May 1 - - - November 2.	M. & T.	Pool - - -	May 1 - - - November 2.	Th.
Painpill - -	July 7 - - - August 29.	—			
Piddle Town -	Tuesday in Easter week -	—			
			Portland - -	November 5 - - -	—
Shaftesbury -	Sat. before Palm Sunday June 24. November 22.	S.	Shaftesbury -	Saturday before Palm Sunday. Last Saturday in August. November 23.	S.
Sherborne - -	Wednesday before Holy Thursday. July 18. July 26. 1st Monday after October	S.	Sherborne - -	July 26 - - - Monday after October 10.	Th.
Shroton - -	September 25 - - -	—	Shroton - -	September 25 and 26 -	—
Sidland - -	December 6 - - -	—			
Stalbridge -	May 6 - - - September 4.	Th.	Stalbridge - -	May 6 - - - September 4.	Alternate Mondays.
Stockland -	June 18 - - -	—			
Sturminster -	May 12 - - - October 24.	Th.	Sturminster -	May 12 - - - October 24.	Alternate Weds.
Toller-Down -	May 29 and 30 - - - July 2. September 11 and 12.	—	Toller Down -	May 18 - - - September 7.	—
			Verwood - -	December 8 - - -	—
Wareham - -	April 6 - - - July 5. September 11.	S.	Wareham - -	3rd Tuesday in April - 2nd Tuesday in September.	Tu.
Winbourne -	Fri. before Good Friday - September 14.	F.			
Woodbury Hill -	September 18* - - -	W.	Woodbury Hill -	September 21 - - -	—
Woodland - -	July 5 - - -	—			
Woolbridge -	May 14 - - -	—	Woolbridge - -	May 14 - - -	—
Wanford-Eagle	August 21 (pleasure) -	—			
			Yetminster -	April 27 - - - October 5.	—
DURHAM:			DURHAM:		
Barnard Castle -	Easter Monday - - - Wed. in Whitsun week. St. James' Day. July 25.	W.	Barnard Castle -	Easter Wednesday - Whit Wednesday. July 22.	—
Bishop Auckland -	Ascension Day - - - Day following Ascension Day. Corpus Christi Day. Thursday before Oct. 10.	Th.	Bishop Auckland -	Holy Thursday - Thursday before Oct. 11.	—
Cornhill - -	December 6 - - -	—			

* Held in a circular space on the top of the hill, which was "supposed to be a Roman encampment, being moated round."

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
DURHAM—cont. Darlington	Easter Monday - - Whit Monday. Monday fortnight after Whit Monday. November 22.	M.	DURHAM—cont. Darlington - -	February 2 and 3 - - 1st Monday in March. Easter Monday. Whit Monday. May 4. June 15, and 2nd Monday after. November 10. Monday preceding No- vember 23, and 2nd Monday after.	M. & F.
Durham	March 31, three days - Whit Tuesday. September 15.	S.	Durham	March 26 - - May 7. Whit Tuesday. September 10. November 19.	S.
Hartlepool -	May 14 - - - August 21. October 9. November 27.	M.	Houghton-le-Spring	October 8 and 9 - -	—
Norham	3rd Tuesday in May - 2nd Tuesday in October.	—	Middleton-in-Tees- dale.	Last Friday in February (hay). 1st Thursday in March. 3rd Thursday in April. Thursday before Aug. 20. 3rd Thursday in Sept. 2nd Thursday in Nov.	S.
Sedgfield	May 12 - - -	—	North Shields (Nor- thumberland).	Friday and Saturday before May 10 and before November 11.	S.
Stockton	January 27 - - - July 18. Monday after October 13.	W.	South Shields	Wednesday before and after May 1. Wednesday before and after November 11.	S.
Walsingham	May 18 - - - September 21.	—	Stanhope	Wednesday before Easter 2nd Friday in September. December 21.	F.
			Stockton-on-Tees	July 18 - - - Wednesday before May 13. November 9 and 16 (hiring), and 23.	W.
			Weardale: Cowshill	Last Friday in September	—
			Rookhope	Friday before August 24	—
			St. John's	3rd Wednesday in April 2nd Wednesday in Sept.	—
			St. John's Chapel	2nd Saturday in May and November.	—
			Westgate	Last Thursday in Feb. Thursday before last Wednesday in October.	—
			West Auckland	Saturday before Easter and before October 18.	—

List of 1793.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
Essex:			Essex :		
Abridge - -	June 2 - - -	—			
Althorne - -	June 5 (toys) - -	—			
Audlev End - -	August 5 - - -	—			
Bardfield - -	June 22 - - -	—			
Barking - -	October 22 - - -	S.			
Bassildon - -	September 14 (toys) -	—			
Belchamp, St. Paul's	November 30 - - -	—			
Bentley - -	Monday after St. Swithin (July 15) (toys).	—			
Billericay - -	August 2 - - - October 7.	T.			
Blackmore - -	August 21 - - -	—			
Bradwell - -	June 24 (toys) - -	—			
Braintree - -	May 8 - - - October 2 and 3.	W.	Braintree - -	May 8 - - - October 2,	W.
Brentwood - -	July 18 - - - October 15 and 16.	—	Brentwood - -	October 15 - - -	—
Brightlingsea - -	June 5 - - - October 15.	—			
Bulmer Tye - -	May 1 - - -	—			
Burnham - -	April 25 - - - September 4 (toys).	—			
Canewdon - -	June 24 (toys) - -	—			
Canvey Island - -	June 25 (toys) - -	—			
Castle Hedingham -	May 14 - - - October 19.	—			
Chelmsford - -	May 12 - - - November 12.	F.	Chelmsford - -	May 12 - - - November 12.	F.
Chesterford - -	July 5 - - -	—			
Chigwell - -	September 30 (hiring) -	—			
Great Clackton - -	June 29 (toys) - -	—			
Little Clackton - -	July 25 (toys) - -	—			
Coggeshal - -	Whit Tues. and Wed. -	S.			
Colchester - -	Easter Tuesday - - - July 5. July 23. October 20.	W. & S.	Colchester - -	October 20 - - -	S.
Colt (near Saffron Walden).	November 17 - - -	—			
Danbury - -	Shrove Tuesday (toys) -	—			
Dedham - -	Easter Tuesday (toys) -	—			
Dunmow - -	May 6 - - - November 8.	—	Dunmow - -	May 6 - - - November 8.	—
Earle's Corne - -	March 25 - - -	—			
Elmstead - -	May 4 (toys) - -	—			
Epping - -	Whit Tuesday - - - October 11 (statute). November 13.	F.	Epping - -	November 13 (cattle) -	F.
Fairlock - -	1st Fri. in July (pleasure)	—			
Ford Street - -	Easter Tuesday - - - November 1 (toys).	—			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days	Market Day.	Place.	Fair Days.	Market Day.
Essex—cont.			Essex—cont.		
Fingringhoe -	Easter Monday - -	—			
Foulness Island -	July 10 - - -	—			
Grays - -	May 23 - - -	Th.			
Great Hollingbury -	Whit Tuesday (toys) -	—	Great Bardfield -	June 22 (cattle) -	—
Great Oakley -	April 25 (toys) - -	—			
Great Tey -	Trinity Monday (toys) -	—			
Great Wakering -	July 25 (toys) - -	—			
Goldanger - -	May 14 (toys) - - -	—			
Hadleigh - -	June 24 (toys) - - -	—			
Hadstock - -	June 28 - - -	—			
Halstead - -	May 6 - - - October 29.	F.			
Harlow - - -	September 9 - - - November 28.	—	Harlow - - -	November 28	—
Harwich - -	May 1 - - - October 18.	F.			
Hatfield Broad Oak	August 5 - - -	—			
High Ongar -	September 19 - - -	—			
Horndon - -	June 29 - - -	S.			
Ingatestone - -	December 1 - - -	—	Ingatestone -	December 1 - - -	—
Kelvedon - -	Easter Monday (toys) -	—			
Kirby - - -	July 26 - - -	—			
Latchingdon -	August 27 - - -	—			
Leigh - - -	2nd Tuesday in May (toys)	—			
Malden - - -	September 18 (toys) -	S.	Malden - - -	1st Thursday in May - September 13.	Tu.
Manuden - -	Easter Monday (toys) -	—			
Manningtree -	May 31 - - - June 15 (toys).	Th.			
Messing - -	1st Tuesday in July (toys)	—			
Newport - -	November 17 - - -	—			
Ostend - - -	June 6 - - -	—			
Ongar - - -	Easter Tuesday - October 11 (hiring).	S.			
St. Osith - -	Ascension Day (toys) -	—			
Paverel - -	Whit Tuesday (toys) -	—			
Prittlewell - -	July 15 (toys) - - -	—			
Purleigh - -	Whit Tuesday (toys) -	—			
Ramsey - - -	June 15 (toys) - - -	—			
Rayleigh - -	Trinity Monday - - -	S.	Rayleigh - - -	Trinity Monday (horse and cattle).	S.
Rochford - -	Easter Tuesday - - - Wed. after September 29.	Th.			
Rumford - -	June 24 - - -	W.			
			Saffron Walden -	Saturday before Mid-Lent 1st Saturday in November.	S.
Salcote - - -	August 24 (toys) - -	—			
South Beufleet -	August 24 - - -	—			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
Essex—cont.			Essex—cont.		
Southminster -	3 days before Easter 9 days before Whit Sunday St. Michael. September 29 (toys).	—			
Stanstead -	May 12 - - -	—	Stanstead -	May 1 - - -	—
Stanaway -	April 28 (toys) - -	—			
Stebbing -	July 10 - - -	—	Stebbing -	July 10 - - -	—
Steple -	Wednesday in Whit week Sat. after St. Michael. September 29 (toys).	—			
Tarling -	Whit Monday (toys) -	—			
Tendering -	September 21 (toys) -	—			
Thaxted -	Monday before Whit Monday. August 10.	F.	Thaxted -	Monday before Whit Sunday.	—
Thorpe -	Monday before Whit Sun- day (toys).	—			
Tillingham -	Whit Tuesday (toys) -	—			
Tiptree Place -	July 25 - - -	—			
Tolesbury -	June 29 (toys) - -	—			
Tolleshunt Darcy -	June 11 (toys) - -	—			
Walden -	Saturday before Mid-Lent Sunday. November 1.	S.			
Waltham Abbey -	May 14 - - - September 25 and 26.	Tu.			
Walton -	June 2 (toys) - -	—			
West Mersey -	Whit Tuesday (toys)	—			
Wicks -	August 31 - - - September 18.	—			
Witham -	Friday and Saturday in Whitsun week. September 14. November 8 (toys).	Tu.			
Wivenhoe -	September 4 (toys) -	—			
Woodham Ferries -	October 10 (toys) -	—			
Writtle -	Whit Monday - -	—			
FLINTSHIRE:			FLINTSHIRE:		
St. Asaph -	Easter Tuesday - July 15. October 16. December 26.	S.			
Caerwylth -	March 16 - - - Last Tuesday in April. Trinity Thursday. 1st Tuesday after July 7. September 9. November 10.	—			
Caerwrely -	Shrove Tuesday - - May 16. August 12. October 27.	—			
			Caerwys -	Last Tu. every month.	—

List of 1793.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
FLINTSHIRE—cont.			FLINTSHIRE—cont.		
Flint - -	February 14 - - - June 24. August 10. November 30.	—	Flint - -	1st Saturday in the month.	—
Hawarden - -	October 1 - - - December 24.	—	Holywell - -	1st Friday in the month -	—
Holywell (St. Winifred's).	April 23 - - -	—	Mold - -	1st Wednesday in the month (horses and cattle).	W. & S.
Mold - -	February 23 - - - May 12. August 2. November 22.	W.	Northop - -	March 14 - - - May 10. July 7. October 11.	—
Newmarket - -	Last Saturday in April - 3rd Saturday in July. 4th Saturday in October. 2nd Saturday in December.	S.			
Northop - -	March 14 - - - July 7. October 12.	—			
Overton - -	Monday before Holy Thursday. June 11. August 20. October 8.	—			
Rudland - -	February 2 - - - March 25. September 8.	—			
GLAMORGANSHIRE:			GLAMORGANSHIRE:		
			Aberdare - -	April 1 and 16 - - - November 13.	2nd Tu. in month. S.
Bridgend - -	November 17 - - - Holy Thursday.	S.	Bridgend - -	April 1 - - - Holy Thursday. November 17.	S.
Cardiff - -	June 29 - - - September 8. November 30.	W. & S.			
Caerphilly - -	April 5 - - - June 6. July 19. August 25. October 9. November 16. Thursday before Christmas Day. Thursday before Jan. 25.* 1st Thursday in March.* 1st Thursday in May.*	Th.	Caerphilly - -	April 4 and 5 (for horses) Trinity Thursday. July 19. August 25. October 9. November 16. Thursday before Christmas Day.	Th.
			Canton - -	February 9 - - - 2nd Wednesday in March, April, May. Whit Monday. June 29. July 22. September 19. November 30.	—
Cowbridge - -	Tuesday before March 25 April 23. August 1. October 18.	T.	Cowbridge - -	Tuesday before March 25 May 4. June 24. September 29. 1st Tuesday monthly.	—
Duffryn - -	August 10 - - -	—			
Ely - -	July 22 - - -	—			
Gorsynon - -	Mon. before St. Andrew's Day. November 30.	—			

* These were "great markets."

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
GLAMORGANSHIRE— cont.			GLAMORGANSHIRE— cont.		
			Gower Road -	1st Monday in February and September.	—
			Gowerton - -	1st Monday in February and September.	—
			Killay - -	1st Wednesday in April - 2nd Wednesday in August and December.	—
Landaff - -	February 9 - - - Whit Monday.	M.	Laleston - -	2nd Monday in March -	—
Lantrissant - -	May 1 - - - August 1. October 18.	F.	Llantwit Major -	June 22 - - -	—
Lantwitt - -	June 11 - - -	—	Llangyfelach -	1st Tuesday and Wednesday in March. March 29. May 1 and 2. June 18. 1st Tuesday and Wednesday in November.	—
Lenyher - -	October 10 - - -	—	Neath - -	Last Wednesday in March 1st and 2nd Wednesday after May 12. Trinity Thursday. Last Thursday in July. 2nd Thursday in Sept. Last Wednesday in Oct. 1st and 2nd Wednesday after November 12.	W. & S.
Neath - -	Trinity Thursday July 13. September 12.	F.	Pencoed - -	1st Monday in June -	—
St. Mary's Hill (near Cowbridge).	August 26 - - -	—	St. Mary Hill -	August 26 (horses) -	—
St. Nicholas - -	December 6 - - -	—			
Penrice - -	May 17 - - - July 17. September 17. December 1.	Th.			
Swansea - -	July 13 - - - August 26. October 19, and two following Saturdays.	W. & S.	Swansea - -	2nd Saturday in May - July 2. August 15 and 26. October 8.	W. & S.
			Waun - -	May 13 - - - Trinity Monday. September 2 and 24.	S.
GLOUCESTERSHIRE			GLOUCESTERSHIRE -		
Barton Regis -	September 28 - - -	—	Berkeley - -	May 14 - - - December 14.	1st. W. in the month.
Berkley - -	May 14 - - -	W.	Bisley - -	May 4 - - - November 12.	—
Bisley - -	May 4 - - - November 12.	Th.	Blakeney - -	May 12 - - - November 12.	—
Blakeney - -	April 12 - - - November 12.	W.	Campden - -	Ash Wednesday. Last Wednesday monthly.	W.
Campden - -	Ash Wednesday - - April 23. August 5. December 11.	W.			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
GLOUCESTERSHIRE— cont.			GLOUCESTERSHIRE— cont.		
Cheltenham	2nd Thursday in April - Holy Thursday. 2nd Thursday in Sept. December 11 and 18. August 5.	Th.	Cheltenham	2nd Thursday in April - Holy Thursday. August 5. Thursday before and after October 11. 3rd Thursday in Dec.	Th.
Cirencester	Easter Tuesday - July 18. Monday before and after Old Michaelmas (sta- tute). November 8.	M. & F.	Chipping Sodbury	Friday before March 25 - September 29.	1st & 3rd Tu.
Coleford	June 20 - November 24. December 17.	F.	Cirencester	Monday before and after October 11.	1st & 3rd M. mnthly.
Dursley	May 6 - December 4.	Th.	Coleford	June 20 - December 17. Friday before July 20. November 24.	3rd Tu. in the month and F.
Fairford	May 14 - November 12.	—	Dursley	May 6 - December 4.	2nd Tu. in the month.
Frampton	February 14 -	—	Fairford	May 14 - November 12.	—
Gloucester	April 5 - July 5. September 28. November 28.	W. & S.	Gloucester	1st Sat. in April and July September 28 and 29. Last Saturday in Nov.	M. & S.
Hampton	Trinity Monday - October 29.	Tu.	Hampton	Trinity Monday - October 27.	—
Iron Acton	April 25 - September 18.	—	Iron-Acton	April 25 - September 13.	—
Lechlade	August 5 and 21 September 9.	Tu.	Lechlade	September 9 -	Last Tu. in month.
Little Dean	Whit Monday - November 26.	—	Littledean	Whit Monday - November 27.	—
Lidney	May 4 - November 8.	W.	Lydney	June 25 -	1st W. in month.
Marshfield	May 24 - October 24.	Tu.	Marshfield	May 24 - October 24.	—
Mitchel Dean	Easter Monday - October 10.	M.	Moreton	2nd Tuesday in month -	Tu.
Moreton	April 5 - October 10.	Tu.	Newent	Friday after Sept. 19 -	1st Tu. in the month.
Newent	Wednesday before Easter. Wed. before Whit Sunday. August 12. Friday after September 8.	F.	Newnham	June 11 - October 18.	—
Newnham	June 11 - October 18.	F.	Northleach	Wednesday before and after October 11.	W.
Northleach	Wed. before April 23 - Wed. before September 29. 3rd Wednesday in May.	W.	Painswick	Whit Tuesday - September 19.	Tu.
Painswick	Whit Tuesday - September 19.	Tu.	Sodbury	May 23 - June 24.	Th.
Sodbury	May 23 - June 24.	Th.	Stonehouse	May 1 - October 10.	—
Stonehouse	May 1 - December 29.	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
GLOUCESTERSHIRE— cont.			GLOUCESTERSHIRE— cont.		
Stow-on-the-Wold -	May 12 - - - July 24. October 24.	Th.	Stow-on-the-Wold -	May 12 - - - October 24.	Th.
Stroud - -	May 12 - - - August 21.	F.	Stroud - -	May 10 - - - August 21.	F.
Tetbury - -	Ash Wednesday - July 22.	W.			
Tewkesbury - -	March 7 - - - 1st Wednesday in April. May 14. June 22. September 4. October 10.	W.	Tewkesbury - -	October 10 - - -	W.
Thornbury - -	Easter Monday - - - August 15. Mon. before St. Thomas. December 21	S.	Thornbury - -	Tuesday, Thursday, and Friday before Mar. 25 (hiring). September 29.	2nd W: in the month.
Tockington - -	May 9 - - - December 6.	—	Tockington - -	May 9 - - - December 6.	—
Waterleigh - -	September 19 - - -	—	Westerleigh - -	September 19 (hiring).	—
Wickware - -	April 4 - - - July 2.	M.	Wickwar - -	April 6 - - - 1st Monday in November.	—
Winchcomb - -	Last Saturday in March - May 16. July 28.	S.	Winchcomb - -	Last Saturday in March - July 28.	S.
Winterburn - -	June 29 - - - October 18.	—	Winterbourne - -	June 29 - - - October 18.	—
Wotton-under-Edge	September 25 - - -	F.	Wotton-under-Edge	Tuesday before Mar. 25 - September 25.	—
HAMPSHIRE:			HAMPSHIRE :		
Alresford - -	Holy Thursday - - - July 5. 1st Thursday after Old Michael.	Th.	Alresford - -	Last Thursday in July - 1st Th. after Oct. 11.	Th.
Alton - -	Saturday before May 1 - July 5. September 29.	S.	Alton - -	Saturday before May 1 - July 11. September 29.	—
Andover - -	Mid-Lent Saturday - May 12. November 16.	S.	Andover - -	Last Fri. in June (wool) November 17.	—
Appleshaw - -	May 23 - - - Friday and Saturday before Wey Hill. November 4.	—	Appleshaw - -	October 6 and 7 - - - November 4.	—
Barton - -	July 31 (toys) - - -	—			
Basingstoke Downs	Easter Tuesday - - -	—			
Basingstoke - -	Wednesday in Whit week September 23. October 10 (hiring).	W.	Basingstoke - -	July 13 - - - October 11.	—
Beaulieu - -	April 15 - - - September 4.	—			
Blackwater - -	November 8 - - -	—	Bishop's Waltham -	July 30 and 31 - - -	—
Botley - -	Tuesday before Shrove Tuesday. Whit Tuesday. August 2. November 9 (toys).	—	Blackwater - -	November 8 and 9 - - -	—
			Botley - -	Alternate Mondays - - -	—

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
HAMPSHIRE—cont.			HAMPSHIRE—cont.		
Brading - -	May 12 - - - October 2 (toys).	—			
Broughton - -	1st Monday in July (toys)	—			
Christchurch - -	Trinity Tuesday - - October 17.	M.			
Eastmeon - -	September 19 - -	—			
Ealing (near South- ampton).	July 5 (toys) - -	—	Eling - - -	July 5 - - -	—
Emsworth - -	Easter Monday - - July 18 (toys).	—			
Eversly - -	May 16 - - - October 18.	—			
Fareham - -	June 29 (toys) - -	W.			
Fordingbridge - -	September 9 - - -	—			
Giles Hill, near Winton.	September 12 - -	—			
Gosport - -	May 4 - - - October 10.	Th.	Gosport - -	May 4 - - - October 10.	—
Hambledon - -	February 13 - - 1st Tuesday in May. October 2.	—			
Hartley Row - -	Shrove Tuesday - - June 29.	—	Hartley Row - -	December 4 - -	—
Havant - -	June 22 - - - October 17 (toys).	—			
Heckfield - -	Good Friday - - -	—			
Kingsclear - -	1st Tuesday in April - Easter Tuesday. 1st Tuesday after Old Michaelmas. October 10.	Tu.			
Liphook - -	1st Wednesday in March Easter Tuesday. June 11.	—			
Liss - -	May 6 - - -	—			
Lymington - -	May 12 - - - October 2.	S.	Lymington - -	May 12 - - - October 2.	—
			Lyndhurst - -	August 9 - - -	—
Magdalen Hill, near Winton.	August 2 - - -	—			
Mattingley - -	December 4 - - -	—			
Newport - -	Whit Monday - - -	W. & S.			
Newton - -	July 22 - - -	—			
Odiham - -	Mid-Lent Saturday - July 31.	F.	Odiham - -	Mid-Lent Saturday July 31.	—
Overton - -	May 4 - - - July 18. October 22.	M.	Overton - -	July 18 - - -	—
Petersfield - -	July 10 - - - December 11.	S.	Petersfield - -	July 10 - - - October 6. December 11.	Alternate W.
Portsmouth - -	July 10 - - -	Th. & S.			
Post Down - -	July 26 - - -	—			
Ringwood - -	July 10 - - - December 11.	Th.	Ringwood - -	July 11 - - - December 11.	W.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
HAMPSHIRE—cont.			HAMPSHIRE—cont.		
Rowland's Castle, near Havant.	May 24 - - - November 12.	—			
Rumsey - -	Easter Monday - - Tu. fortnight after July. July 31, till Christmas. August 26. November 8.	S.	Romsey - -	Easter Tuesday - - August 26. November 8.	Alternate Th.
Selborne (near Al- ton).	May 29 - - -	—			
Southampton -	May 6 - - - Trinity Monday.	Tu., Th., & S.	Southampton -	Trinity Monday -	F.
Southwick - -	April 5 - - -	—			
Stockbridge -	Holy Thursday - - July 10. October 7.	—	Stockbridge - -	July 10 - - -	—
Sutton - - -	Trinity Tuesday (toys) - November 6.	—			
Tangley - - -	April 15 - - -	—			
Titchfield - -	March 25 - - - May 14 (toys). September 25 (hiring). Sat. before St. Thomas. December 21 (toys).	—			
Waltham - - -	2nd Friday in May - July 30. 1st Friday after Old Michaelmas. October 10.	—			
West Cowes -	Th. in Whit week (toys)	—			
Weyhill - - -	October 8 and five follow- ing days.	—	Weyhill - - -	2nd Thursday in April - Last Friday in July. October 10.	—
Wharwell - - -	September 24 - - -	—	Wherwell - - -	September 24 - - -	—
Whitechurch -	April 23 - - - June 17. July 7 (toys). October 19.	F.			
Wickham - - -	May 20 - - -	—	Wickham - - -	May 20 - - -	—
Winchester - -	1st Monday in Lent - October 24.	W. & S.	Winchester -	Last Saturday in Feb. (cattle and seed). October 23 and 24 (sheep and cattle).	W. & S.
Yarmouth - - -	July 25 (toys) - -	—			
HEREFORDSHIRE:			HEREFORDSHIRE:		
Brampton - - -	June 22 - - -	—	Brampton Brian -	June 21 - - - June 22 (horses).	—
Bromyard - - -	Thursday after March 25 May 3. Whit Monday. Thursday before St. James, July 25. Th. before October 29.	M.	Bromyard - - -	Thursday before Mar. 25 (hiring). September 29. Thursday before Oct. 29.	Th.
Dorstone - - -	April 27 - - - May 18. September 27. November 18.	—			
			Eardisley - - -	May 15 - - -	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
HEREFORDSHIRE— cont.			HEREFORDSHIRE— cont.		
Hereford - -	Tuesday after Candlemas February 2. Wed. in Easter week. May 19 (pleasure). July 1. October 20.	W., F., & S.	Hereford - -	1st Wednesday in the month (horse fair). 1st Wednesday after February 2 and after Easter. 1st Wed. after May 2. 1st Wednesday in July. 3rd Wednesday in Aug. 3rd Wednesday in Oct. 2nd Wednesday in Dec.	W. & S.
Huntington - -	July 18 - - - November 18.	—	Huntington - -	July 18 - - - November 18.	—
Kingsland - -	October 10 - - -	—	Kingsland - -	October 11 - - -	—
Kington or Kyneton	Wednesday before Easter Whit Monday. August 2. September 4.	W.	Kington - -	Tuesday before Feb. 2 - 2nd Tuesday in March. Easter Tuesday. May 11. 1st Tuesday in June. 2nd Tuesday in July. 3rd Tuesday in August. September 18. September 19. Tuesday before Oct. 10. Tuesday before Nov. 18. 3rd Tuesday in December.	Tu.
Ledbury - -	Monday before Easter - May 12. June 22. October 2. Mon. before St. Thomas, December 21.	Tu.	Ledbury - -	2nd Tu. in every month - 2nd Tuesday in October.	Tu.
Leominster - -	February 18 - - - Tuesday after Mid-Lent Sunday. May 14. July 10. September 4. November 8.	F.	Leominster - -	February 18 - - - Tuesday after Mid-Lent Sunday. May 2. 2nd Friday in June. July 10. August 4. September 4. Monday before 3rd Wed. in October. November 8. Friday after December 11.	F.
Longtowne, near Bishop's Castle.	April 29 - - - September 21.	—			
Orleton - -	April 24 - - -	—	Orleton - -	April 23 - - -	—
Pembridge - -	May 12 - - - November 22.	Tu.	Pembridge - -	May 18 - - - November 22.	—
Ross - -	Holy Thursday - - - Corpus Christi. July 20. Thursday after Oct. 10. December 11.	Th.	Ross - -	March 17 - - - May 12. June 9. July 7. October 13. December 8.	Alternate Th.
Weobly - -	Holy Thursday - - - Three weeks after Holy Thursday.	Tu.			
Wigmore - -	April 16 - - - May 6. August 5.	—	Wigmore - -	May 6 - - - August 5	F.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
HERTFORDSHIRE :			HERTFORDSHIRE :		
St. Albans -	March 25 and 26 October 10 and 11.	S.			
Albury (<i>Portmore Heath</i>).	July 17 (toys) - -	—			
Baldock -	March 7 - Last Thursday in May. August 5. October 2. December 11.	Th.	Baldock - -	March 7 - - Last Thursday in May. August 5. October 2 and 3. December 11.	F.
Barnet - -	April 8, 9, and 10 - September 4, 5, and 6.*	M.	Barnet - -	April 8 - - September 4, 5, and 6. November 21.	W.
Barkway - -	July 20 - - -	S.			
Bennington -	June 29 - - -	—			
Berkhamstead -	Shrove Monday - Whit Monday. August 5. September 29 (statute). October 11.	M.			
Braughing - -	Whit Monday (toys) -	—			
Buntingford -	June 29 - - - St. Andrew's, Nov. 30.	M.	Buntingford - -	June 29 and 30 - -	—
Hatfield - -	April 23 - - - October 18 (toys).	Th.	Hatfield - -	April 23 - - - October 18.	—
Hemel Hemstead -	Holy Thursday - 3rd Monday in September (statute).	—	Hemel Hempstead -	Holy Th. and 3 weeks later. 3rd Monday in September	Th.
Hempstead -	1st Th. after Whit week	Th.			
Hertford - -	Saturday fortnight before Easter. May 12. July 5. November 8.	S.	Hertford - -	3rd Sat. before Easter - May 12. July 5. November 8.	S.
Hitchin - -	Easter Tuesday - Whit Tuesday.	Tu.			
Hoddesdon -	June 29 (toys) - -	—			
Little Hadham (<i>Bury Green</i>).	July 15 (toys) - -	—			
Much Hadham -	Wednesday before June 29 (toys).	—			
Northall Statute -	September 28 - -	—			
Preston - -	1st Wednesday in May - Wednesday before Oct. 29.	—			
Puckeridge Stat.	September 19 - -	—			
Purton - -	4th Thursday after April 5 4th Thursday after Oct. 10.	—			
Redbourn - -	1st Wednesday after New Year's Day. Wed. in Easter week. Wed. in Whitsun week.	—			
Rickmansworth -	July 20 - - - November 24. Saturday before 3rd Mon- day in September (hiring).	S.			
Royston - -	Ash Wednesday - Wed. in Easter week. Wed. in Whitsun week. 1st Wednesday in July. 1st Wed. after October 10.	Th.	Royston - -	Ash Wednesday - Easter Wednesday. Whit Wednesday. 1st Wednesday in July. Wednesday after Oct. 11.	W
Sawbridgworth -	April 23 - - - October 19.	W.			

* The harvest fair, commonly called "the Welsh Fair."

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
HERTFORDSHIRE— <i>cont.</i>			HERTFORDSHIRE— <i>cont.</i>		
Standon - -	April 25 - - -	F.	Stevenage - -	September 22 and 23 -	—
Stavenage - -	Nine days before Easter. Nine days before Whit Sunday. 1st Friday in September.	F.			
Stortford Bishop's -	Holy Thursday - - Th. after Trinity Sunday. October 10.	Th.			
Tring - -	Easter Tuesday - - October 10 (hiring).	—	Tring - -	Easter Monday - - October 11.	—
Ware - -	Last Tuesday in April - Tu. before St. Matthew. September 21.	Tu.	Ware - -	Last Tuesday in April - Tuesday before Sept. 21.	—
Watford - -	Last Tuesday in March - Trinity Thursday. May 12. August 31. September 9 (statute).	Tu.			
HUNTINGDONSHIRE:			HUNTINGDONSHIRE:		
Alconbury - -	June 24 - - -	—			
Earith - -	May 4 - - - July 25. November 1.	—	Earith Bridge -	May 4 - - - July 25. November 1.	—
Godmanchester -	Easter Tuesday - -	—	Godmanchester -	Tuesday and Wednesday in Easter week.	S.
Huntingdon - -	March 25* - - -	S.	Huntingdon -	July 18 - - -	—
Kimbolton - -	Friday in Easter week - December 11.	F.	Kimbolton -	Easter and Whit Friday - October 11. December 11.	F.
Leighton - -	May 12 - - - October 5.	—			
St. Ives - -	Whit Monday - - -	—	St. Ives - -	Whit Monday - - - October 12.	M.
St. Neots - -	Saturday before 3rd Tues- day in January. January (O.S.) Ascension Day. Corpus Christi. December 17. August 1 (hiring).	Th.	St. Neots - -	Holy Thursday and 3 weeks after. 1st Thursday after Oct. 1. Thursday before Dec. 17.	—
Ramsey - -	July 22 - - -	W.			
Sommersham -	June 23 - - - Friday before Nov. 22.	F.			
Spaldick - -	Wed. before Whit Sunday. November 28.	—			
Stilton - -	February 16 - - -	W.			
Yaxley - -	Ascension Day - -	—			
			ISLE OF MAN:		
			Ballasalla - -	4th Wednesday in Jan., June, and November. 1st Wednesday in March and October. 2nd Wednesday in April and August.	S.
			Ballagh - -	3rd Tuesday in May - 4th Wednesday in Aug.	S.

* Owen notes that "this fair is not observed."

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
			ISLE OF MAN—cont.		
			Colby - - -	1st Wednesday in Dec. -	S.
			Douglas - - -	November 12 - -	S.
			Laxey - - -	2nd Tuesday in May - 1st Wednesday in August	S.
			Michael - - -	3rd Wednesday in June - 2nd Wednesday in Oct.	S.
			Ramsey - - -	2nd Wednesday in Feb. - 3rd Wednesday in Mar. Tuesday after Nov. 1. 2nd Wednesday in Dec.	S.
			St. John's - - -	1st and 4th Wednesday in February, 2nd and 4th Wednesday in March. 4th Wednesday in April. 3rd Wednesday in May and November. July 5.	S.
			St. Mark's - - -	2nd Wednesday in May -	S.
			Santon - - -	4th Wednesday in May -	S.
			Sulby - - -	1st Wednesday in April, May, and June. 3rd Wednesday in July.	S.
KENT:			KENT:		
Ackhole - - -	May 30 (toys) - -	—			
Acris Mill - - -	October 16 - -	—			
Alresford - - -	June 29 - -	—			
Appledore - - -	January 11 - - June 22.	Tu.			
Ash - - -	April 5 - - October 10.	—			
Ashford - - -	1st Tuesday in every month May 17. September 9. October 23.	S.	Ashford - - -	May 17 - - 3rd Tuesday in August. September 9. October 12.	Tu.
Babbington - - -	August 24 - -	—			
Badlesmore - - -	September 9 - - October 24. November 17.	—			
Benenden - - -	May 15 - - August 4.	—	Benenden - - -	May 1 - -	—
Bethersden - - -	July 31 - -	—			
Biddenden - - -	Old Lady Day - - April 5. November 8.	—	Biddenden - - -	November 8 - -	—
Billington - - -	July 5 - -	—			
Blackheath - - -	May 12 - - October 11.	—			
Boughton - - -	July 2 - -	—			
Brasted - - -	Ascension Day - -	—			
Bromfield - - -	June 4 - -	—			
Bromley - - -	February 14 - - August 5.	Th.			
Brompton - - -	May 22 - -	—			
Brookland - - -	August 1 - - October 10.	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
KENT—cont.			KENT—cont.		
Canterbury* - -	May 4 (toys) October 10.	W. & S.			
Chalk - -	May 15 - - -	—			
Challock - -	October 8 - - -	—			
Charing - -	May 4 - - - October 29.	—			
Charleton - -	October 18 - - -	—			
Chatham - -	May 15 - - - October 20.	S.			
Chevering - -	May 16 - - -	—			
Chilham - -	November 8 - - -	—			
Chiselhurst - -	Wed. in Whitsun week -	—			
Church Witlefield -	July 5 (toys) - - -	—			
Cliff - -	September 28 - - -	—			
Cobham - -	August 2 - - -	—			
Cowden - -	May 3 - - - August 2.	—			
Cranbrook - -	May 30 - - - September 29.	S.	Cranbrook - -	May 30 - - - September 29 - - -	Alternate W. from June 2.
Crayford - -	September 12 - - -	—			
Dartford - -	August 2 - - -	S.			
Deal - -	April 5 - - - October 10.	Th.			
Dover - -	November 22 - - -	W. & S.			
Dulwich - -					
Eastchurch - -	May 31 (toys) - - -	—			
Eastling - -	September 14 - - -	—			
East Malling - -	August 6 - - -	—			
Eastroy - -	October 2 - - -	—			
Edenbridge - -	May 6 - - -	—			
Elham - -	Palm Monday Easter Monday. Whit Monday. October 20.	M.			
Elmstead - -	July 25 - - -	—			
Farnborough - -	September 12 - - -	—			
Farningham - -	October 15 - - -	—	Farningham - -	October 15 - - -	3rd W. in every month.
Faversham - -	February 25 - - - August 12.	W. & S.	Faversham - -	October 11 - - -	W. & S.
Folkstone - -	June 28 - - - September 25.	Th.			
Frittenden - -	September 8 - - -	—			
Gillingham - -	March 27 - - -	—			
Goodnestone - -	September 25 - - -	—			
Goudburst - -	August 26 - - -	W.			
Gravesend - -	April 23 (toys) - - - October 24.	W. & S.	Gravesend - -	October 24 - - -	S
Great Chart - -	April 5 - - -	—			

* Owen notes that there is 'a market toll free every Wednesday for hops.'

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
KENT—cont.			KENT—cont.		
Greenstreet -	September 23 - -	—			
Groombridge -	May 17 - September 25.	—			
Hadlow - -	Whit Monday - -	—			
Hamstreet -	May 14 - -	—			
Harriotsam -	July 5 - - -	—			
Hawkhurst -	August 10 - -	—			
Hearn - -	April 16 - - -	—			
Hedcorn - -	June 12 - - -	—			
Horsemanden -	July 26 - - -	—	Horsmonden - -	July 26 - - -	—
Hythe - -	July 10 - - - December 1.	Th.			
Ingleham - -	March 27 - - -	—			
Kennington -	July 5 - - -	—			
Lamberhurst -	April 5 - - - May 21.	—			
Lonham - -	June 6 - - - October 23.	Tu.			
Leigh - -	July 25 - - -	—			
Lidd - -	First Monday in Sept.	—			
Littleburn -	July 5 (toys) - -	—			
Lyminge - -	July 5 - - -	—			
Maidstone - -	1st Tuesday in every month. February 13. May 12. June 20. 2nd Tuesday in October.	Th.*	Maidstone - -	February 13 - - - May 12. June 20. October 17.	2nd & 4th Tu. mnthly
Malling - -	August 12 - - - October 2. November 17.	S.			
Marden - -	October 10 - - -	—			
Meopham - -	July 10 - - -	—			
Mersham - -	Friday after Whitsun week	—			
Milton - -	July 24 - - -	S.			
Minster - -	Palm Monday - -	—			
Mongham - -	October 29 - - -	—			
Monkton - -	July 22 - - -	—			
Newenden - -	July 1 - - -	—			
Newnham - -	June 29 - - -	—			
			New Romney - -	August 21 - - -	—
North Down -	July 25 (toys) - -	—			
Old Chaple -	September 4 (toys) -	—			
Orford - -	August 24 - - -	—			
Orpington -	Holy Thursday (toys) -	—			
Ospringe - -	May 29 (toys) - -	—			
Oxted - -	May 1 (toys) - - -	—			
Peckham - -	Whit Tuesday - - -	—			
Pembury - -	Whit Tuesday - - -	—			

* The second Tuesday in October was a "great market," and there was "a market toll for every Thursday for hop and corn."

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
KENT—cont.			KENT—cont.		
Penshurst - -	June 26 - - -	—			
Pluckley - -	December 6 - -	—			
Preston - -	May 23 - - -	—			
Queenborough -	August 5 (toys) - -	—			
Rochester - -	May 30 - - - December 11. 4th Tuesday in every month.	F.	Rochester -	May 30 - - - April 16. August 30. December 11.	—
Rumney - -	August 22 - - -	S.			
St. Lawrence -	August 10 (toys) -	—			
St. Peter's - -	April 5 - - - July 10 (toys).	—			
St. Margaret's, near Dover.	July 31 (pleasure) -	—			
St. Mary Cray -	June 24 (toys) - -	—			
Sandwich - -	December 4 - - -	W. & S.			
Sandhurst - -	May 25 - - -	—	Sandhurst - -	May 25 - - -	—
Sarr - -	October 14 (toys) -	—			
Seale - -	June 6 (toys) - -	—			
Sellinge - -	May 21 - - - October 11.	—			
Sevenoaks - -	July 10 - - - October 12. 3rd Tuesday in every month.	S.			
Shoreham - -	May 1 (toys) - - -	—			
Sittingbourne -	Whit Monday, Tuesday, and Wednesday. October 10.	—			
Smarden - -	October 10 - - -	F.			
Smith - -	May 12 - - - September 29.	—			
Staple - -	July 25 - - -	—			
Stelling - -	Ascension Day - - November 12.	—			
Stockbury - -	August 2 (toys) - -	—			
Stone - -	Ascension Day - -	—			
Stroud - -	August 26 (toys) -	—			
Tenterden - -	1st Monday in May -	F			
Tunbridge - -	Ash Wednesday - - July 5. October 11 (statute). October 29. 1st Tuesday in month.	F	Tunbridge - -	Last Friday in October -	Tu.
Warborn - -	October 2 - - -	—			
Waldershare - -	Whit Tuesday - - -	—			
Westerham - -	May 3 - - -	W.			
Whitstable - -	Thursday before Whit Sunday.	—			
Wingham - -	May 12 - - - November 12.	—			
Wittersham - -	May 1 - - -	—			
Woodnesborough -	Holy Thursday (toys)	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
KENT—cont.					
Wrotham - -	May 4 - - -	T.			
Wye - -	March 24 - - - May 29. September 30. November 2.	—			
Woolwich - -	- - - - -	F.			
Yalding - -	Easter Tuesday - - - October 15 and 16.	—			
LANCASHIRE :			LANCASHIRE :		
Ashton-under-Line	August 5 - - - November 20.	—	Accrington - -	1st Thursday in April and August.	Tu. & S.
Bartholomew -	April 24 and 25 - - - September 24 and 25.	—	Ashton-under-Lyne	March 23 - - - April 29. July 25. November 21.	—
Blaketurn - -	May 11 - - - September 11. October 29.	M.	Blackburn - -	Easter week - - -	S.
Bolton - -	July 30 - - - October 13.	M.	Bolton-le-Moors -	2nd Wednesday in Jan. and Oct. Shrove Monday. Last Wednesday in July. 2nd Wednesday in Oct. 2nd Thursday in Oct.	M.
Booth - -	Whit Eve - - - Saturday before Oct. 23.	—	Broughton - in - Furness.	August 1 - - - November 11.	—
Broughton - -	August 1 - - -	—	Burnley - -	March 6 - - - Easter Eve. 2nd Thursday in July to following Monday.	S. & M.
Burnley - -	March 6 - - - Easter Eve. May 8 or 9. July 10. October 11.	—	Bury - -	March 5 - - - May 3. September 18.	Daily.
Bury - -	March 5 - - - May 3. 2nd Thursday after Whit Sunday. September 18.	Th.	Carnforth - -	April 29 - - -	F.
Cartmel - -	Whit Monday - - - 1st Tuesday after October.	M.	Cartmell - -	Wednesday before Easter and November 5.	—
Chipping - -	Easter Tuesday - - - St. Bartholomew. August 24.	—	Chipping - -	April 23 - - - 1st Wednesday in Oct.	—
Chorley - -	March 26 - - - May 5. August 20. September 5 (toys).	Tu.	Chorley - -	March 26 - - - August 20. May 5. October 21.	—
Clithero - -	July 21 - - - March 24. 4th Sun. after St. Michael September 29. December 7.	S.	Clitheroe - -	March 24, 25, and 26 - 3rd Thursday in May. August 3. October 21 (being Thurs- day before 4th Saturday after Michaelmas), 22, and 23. December 7.	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
LANCASHIRE—cont.			LANCASHIRE—cont.		
Cockerham -	Easter Monday - -	—	Colne - -	Last Thursday in March, May, and October. Last Wednesday monthly.	—
Coln - -	March 7 - - - May 12. October 10.	W.	Coniston - -	3rd Saturday in Sept. -	S.
			Crewe - -	Monday - - -	—
Dalton - -	June 6 - - - October 23.	S.	Dalton in Furness -	April 28 - - - June 6. October 23.	Tu. & S.
Garstang - -	Holy Thursday - - July 9. November 21.	Th.	Garstang - -	Holy Thursday - - July 10 and 11. November 22 and 23.	—
			Great Eccleston -	March 14 - - - April 14. November 4.	—
			Harwood - -	May 17 - - - August 21.	F.
Hastingden - -	May 8 - - - July 1. October 16.	W.	Haslingden - -	February 2 - - - May 8. July 4. October 2.	Tu. & S.
Hawshead - -	Holy Thursday - - St. Matthew. September 21.	M.	Hawkshead - -	Easter Monday and 5th Monday after. October 2.	—
			Heywood - -	1st Friday in April and October.	—
Hornby - -	July 30 - - -	M.	Hornby - -	Alternate Tuesdays from July to December.	—
Inglewhile - -	Mon. before Holy Thurs. October 5.	—	Inglewhite - -	April 25 - - - 1st Monday after Rogation Sunday. Monday before 1st Wed. in October.	-
Kirkham - -	June 24 - - - October 8 (toys).	T.	Kirkham - -	February 4 - - - April 28. October 18. One day following each for toys.	-
Lancaster - -	May 1 - - - July 5. August 11. October 9.	S.	Lancaster - -	Friday before 1st week in January. May 1. July 5. October 10. May. 1st Wednesday in July, August, October, and December.	—
Littleborough -	March 1 - - - October 13.	—	Leigh - -	April 24 - - - December 7.	S.
Liverpool - -	July 25 - - - November 11.	S.	Liverpool - -	1st Monday after Feb. 5 and after May 1. Last Monday in August. 1st Monday after Nov. 20.	—
			Longridge - -	February 16 - - - March 16. April 16. 1st Tuesday in May. November 5.	—
Manchester -	Whit Monday - - - October 1. November 17.	S.	Manchester - -	Easter week - - - October 1, 2, and 3.	Daily.
			Mossley - -	Last Friday in February - June 21. Last Monday in October.	F.

List of 1792.			List of 1898.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
LANCASHIRE—cont.			LANCASHIRE—cont.		
Newburgh - -	June 21 . . .	—	Newburgh - -	June 21 - - -	—
Newchurch - -	April 29 . . . September 30.	—			
Newton - -	February 12 . . . May 17. August 11.	S.	Newton-le-Willows - -	May 17 . . . August 11 and 12.	—
Oldham - -	May . . .	—	North Meets - -	Monday before Aug. 30 -	—
Ormskirk - -	Whit Monday . . . September 8.	T.	Oldham - -	May 2 . . . Quarterly.	—
Padiham - -	May 8 . . . September 26.	—	Ormskirk - -	Whit Mon. and Tues. . . September 10 and 11.	Th.
Poulton - -	February 13 . . . May 3. July 25.	M.	Poulton-le-Fylde - -	February 3 . . . April 13. November 3.	—
Prescot - -	June 12 . . . August 24 and 25. All Saints (Nov. 1).	T.*	Prescot - -	Shrove Tuesday . . . Alternate Tuesdays until 1st Tuesday in May.	—
Preston - -	1st Sat. after Epiphany (January 6). March 27. August 11. September 7.* November 7.	W., F., and S.	Preston - -	Tuesday, Wednesday, and Thursday in 1st whole week in January. Saturday after Feb. 15. February 16. March 15, 27, and 28. April 15. 2nd Wednesday in May. 2nd Thursday in May. August 25 and 26. October 3 and 4. November 6 and 7. Last Tuesday in February, March, April, May, June, July, August, September, and October. December 1. March 27. August 25. November 7.	M., Tu., W., F., & S.
Radcliffe Bridge - -	April 29 and 30 . . . September 28 and 29.	—			
Rochdale - -	May 14 . . . Whit Tuesday. November 7.	M.	Rochdale - -	May 14 . . . November 7.	—
Rufford - -	May 1 . . .	—			
			Scholes in Wigan - -	June 2, 3, 4, 5, 7, and 27 October 28, 29, and 30. November 1.	—
			Skerton . .	April 30 . . .	—
			Stalybridge - -	Last Monday in January, April, July, and Octo- ber (quarterly fairs). Monthly fairs last Mon- day and last Saturday in September.	M., F., & S.
Standish - -	June 29 . . . November 22.	—	Standish - -	Last Monday in June and November.	—
			Todmorden - -	Thursday, Friday, and Saturday before Easter. Last Thursday in Sept. and two days after.	S.
Ulverstone - -	Holy Thursday . . . 1st Thurs. after Oct. 23.	M.	Ulverston - -	Tuesday before 1st whole week in January. Tuesday before Easter Sunday. Whit Thursday. October 24. November 12 (hiring).	Th.

* "A fortnight market."

† And a "guild or jubilee" every 20th year, beginning the last week in August and continuing for a month.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
LANCASHIRE—cont.			LANCASHIRE—cont.		
Up Holland -	July 15 - - -	W.	Upholland -	Easter Monday - -	—
Warrington -	July 18 - - - St. Andrew November 30.	W.	Warrington -	July 17 and 18 - - November 29 and 30.	W. & S.
Weeton -	1st Tuesday after Trinity Sunday.	—	Weeton -	Trinity Mon. and Tues. -	—
Wigan -	Day before Holy Thurs. - June 27. October 28.	M. & F.	Westoughton -	3rd Wednesday in Oct.	—
			Wigan -	June 27 - - - October 28 and 29.	F.
			Wray -	Shrove Tuesday - - April 30.	—
LEICESTERSHIRE:			LEICESTERSHIRE:		
Ashby de la Zouch	Easter Tuesday - - Whit Tuesday. September 4. November 8.	S.	Belton -	Mon. after Trinity week -	—
Belton -	Mon. after Trinity week -	—	Billesdon -	1st Monday in May and October. Last Monday in February and August.	—
Billsden -	April 23 - - -	F.	Castle Donington -	March 17 - - - July 25. Michaelmas Day.	S.
Bosworth -	October 16 - - -	—	Hallaton -	Holy Thursday and 3rd Thursday after it.	—
Hallaton -	Holy Thursday - - Thurs. three weeks after Holy Thursday.	Th.	Hinckley -	August 26 - - -	M.
Hinckley -	August 26 - - - 1st, 2nd, and 3rd Monday after Epiphany. Easter Monday. Mon. before Whit Mon. Whit Monday. Monday after St. Simon and Jude (Oct. 28).	M.	Husbands-Bosworth	October 16 - - -	—
Kegworth -	February 18 - - - Easter Monday. April 30. October 10 (pleasure).	—	Leicester -	March 2 - - - Sat. week before Easter. Sat. in Easter week. May 12. July 5. October 9. December 8.	—
Leicester -	March 2 - - - Palm Saturday. Saturday in Easter Week. May 12. July 5. October 10. December 8.	W. & S.	Loughborough -	2nd Thursday monthly - Ascension Day.	Th.
Loughborough -	March 28 - - - April 25. Holy Thursday. August 12. November 13. March 24. September 30.	Th.	Lutterworth -	April 2 - - - September 16. Holy Thursday.	Th.
Lutterworth -	February 16 - - - April 2. Holy Thursday. September 16.	Th.	Market Bosworth -	May 8 - - -	W.
Market Bosworth -	May 8 - - - July 10.	W.			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
LEICESTERSHIRE— <i>cont.</i>			LEICESTERSHIRE— <i>cont.</i>		
Market Harborough	January 6 - - - February 16. April 29. July 31. October 19 to 28.	Tu.	Market Harborough	April 29 - - - Oct. 16, 18, 19, and 20.	Tu.
Melton Mowbray -	1st Tuesday after Jan. 17 Monday and Tuesday. Holy Thursday. Whit Tuesday. August 21.	Tu.	Melton Mowbray -	Monday and Tuesday after January 17. 2nd Tuesday in April. Whit Tuesday. August 21. 2nd Tuesday in Sept. September 29. October 25. 1st Tuesday after Dec. 8. 2nd Tuesday in Sept. April 14. September 22. December 1.	Tu.
Mountsorrel - -	July 29 (pleasure) - -	M.	Mountsorrel - -	July 10 to 19 - -	—
Waltham on the Wolds.	September 19 - -	Th.	Waltham - on - the Wolds.	September 17 and 19 -	—
LINCOLNSHIRE:			LINCOLNSHIRE:		
Alford - -	Whit Tuesday - - November 8.	Tu.	Alford - -	Whit Tuesday - - July 31. August 24. September 16. November 8.	Tu.
Barnwell - -	May 14 - - October 10.	—			
Barton on the Hum- ber.	Trinity Thursday - -	M.	Barton-upon-Humber	Trinity Thursday - -	M.
Belton - -	September 25 - -	—			
Boston - -	May 4 - - August 11 (town fair). November 30 (last 4 days). December 11.	W. & S.	Boston - -	May 4 and 5 - - August 15. September 15. November 18 and 19. December 11.	W. & S.
Bourn - -	March 7 - - May 6. October 29 November 30.	S.	Bourn - -	1st Thursday in April - 1st Thurs. after May 5. Last Thursday in Sept. and October.	
Brig - -	August 5 - -	Th.	Brigg - -	2nd Thursday in April - Friday before May 11. August 5.	Th.
Burgh - -	May 12 - - October 2.	—	Burgh - -	2nd Thursday in May and August. September 26.	Th.
Castor - -	Saturday before Palm Sunday. Saturday before Whit Sunday. June 1. Saturday after Old Michael.	S.	Caistor - -	Fri. and Sat. before Palm Sunday. Saturday before Sept. 18. Friday and Saturday after October 11.	S.
			Caythorpe - -	2nd Friday after Good Friday.	—
Corby - -	August 26 - - Monday before Oct. 10.	Th.	Corby - -	August 26 - - Monday before Oct. 11.	—
Couthorpe - -	July 5 - -	—			
Crowland - -	September 4 - -	S.			
Crowle - -	Last Monday in May - September 4. November 22.	S.	Crowle - -	Last Monday in May - September 14. November 23.	F.

LIST OF 1792.			LIST OF 1838.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
LINCOLNSHIRE—cont			LINCOLNSHIRE—cont.		
Donnington - -	May 26 - - - August 17. September 6. October 16.	S.	Donington - -	May 26 - - - September 4. October 17.	Th.
Empworth - -	September 9 - - - 1st Thursday after Old Michael.	S.	Epworth - -	Thursday after May 1 and September 29.	Th.
Folkingham - -	Ash Wednesday - - Palm Monday. May 12. June 16. July 3. Thursday after Old Michael. November 10 and 22.	Th.	Falkingham - -	Ash Wednesday - - May 13. June 14 and 15. July 12. November 22.	Th.
Fillingham - -	Thursday after Easter - November 22.	—			
Gainsborough - -	Easter Tuesday - - Oct. 20 (chiefly pleasure).	Tu.	Gainsborough - -	Tuesday and Wednesday in Easter week. Tuesday and Wednesday after October 20.	Tu.
Grantham - -	5th Monday in Lent - Easter Eve. Holy Thursday. July 10. October 26. December 17.	S.	Glentham - -	Wed. before Sept. 25	—
Grimsby - -	June 17 - - - September 15.	W.	Grantham - -	5th Monday, Tuesday, and Wednesday in Lent. July 7. October 26. December 17.	M. & S.
Haxey - -	July 5 - - -	—	Grimsby - -	1st Monday in April - 2nd Monday in October.	—
Heckington - -	2nd Tuesday in April (O.S.)	—	Heckington - -	2nd Thursday in Sept. -	—
Holbeach - -	May 17 - - - 2nd Tuesday in Sept.	Th.	Holbeach - -	May 17 - - - September 17. October 11.	Th.
Horncastle - -	June 22 - - - August 21.*	S.	Horncastle - -	5th Thursday in Lent - 2nd Th. after June 21. 2nd Monday in August. 4 days after 2nd Thurs. in September. October 28 and 29.	S.
Kirton - -	July 18 - - - December 11.	S.	Kirton Lindsey - -	July 18 - - - December 11.	—
Lincoln - -	Friday in Easter week - Second Tuesday in April (O.S.) Friday before April 29. July 5. October 6. November 28.	F.	Lincoln - -	Last whole week in April (greatest fair in England).	F.
Louth - -	April 30 - - - 3rd Monday after May 11. August 5. November 22.	W. & S.	Long Sutton - -	May 13 - - - Friday after September 25.	F.
Ludford - -	August 12.		Louth - -	April 29 - - - September 17. October 22. November 23.	F. & W.
Market Deeping - -	Second Wednesday after May 11. Wed. before Lammas. August 1. October 10. November 22.	Th.			

* "Held till lately at Stainton, and now called Horncastle-Stainton Fair."

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
LINCOLNSHIRE—cont.			LINCOLNSHIRE—cont.		
Market Rasen -	Every other Tuesday after Palm Sunday. September 25.	Th.	Market Rasen -	4th Tuesday in Lent September 25.	Tu.
Messingham -	Trinity Monday -	—	Massingham -	Trinity Monday -	—
Navenby -	August 18 - - - October 17.	Th.	Partney -	August 1 and 25 - - September 18 and 19. Wednesday and Thursday after October 11.	—
Partney -	August 1 and 25 September 18 and 19.	—	Saltfleetby -	October 3 - -	—
Saltfleet -	October - -	—	Scotter -	July 6 and 10 - -	—
Scotter -	July 6 - - -	—	Sleaford -	Plough Monday - Easter Monday. Whit Monday. August 12. October 20.	M.
Sleaford -	Plow Monday - Easter Monday. Whit Monday. August 1. October 20.	M.	Spalding -	1st Tuesday after Lincoln April fair. Last Tuesday in June and August. September 25. December Friday before London Christmas market.	T.
Spalding -	April 27 - - - June 29. August 26. September 25. Wednesday before Dec. 6.	Tu.	Spilsby -	Monday before Whit Monday. Monday after July 12.	M.
Spilsby -	Monday before Whit Monday. Monday after Whit Monday. Monday fortnight after Whit Sunday if it falls in May. 1st Monday in July (O.S.)	M.	Spital -	November 25 - - -	—
Stainton -	October 29 (<i>see</i> Horn-castle).	M.	Stamford -	January 9, 30, and 31 - March 5 and 12.. April 9. May 7. June 4. July 24. September 3. October 8. November 8 and 9. December 3.	M. & F.
Stamford -	Tuesday before Feb. 13 - Monday before Mid-Lent. Mid-Lent Monday, lasts a fortnight. Monday before May 12. Monday after Corpus Christi. St. James (O.S.) August 5. St. Simon and Jude. November 8.	M. & F.	Stow -	October 10 - - -	—
Stockwith -	September 4 - - -	—			
Stow Green -	June 16 - - -	—			
Stow -	October 10 - - -	—			
Swineshead -	1st Tuesday in June - October 2.	—			
Swinstead -	Monday after Old Michael October 10.	—			
Tidford -	April 16 - - - December 6.	—			
Tottershall -	Friday after 4th May, and every other Friday in Spring. May 14. September 25.	Tu.			
Torksey -	Whit Monday - - -	—			
Wainfleet -	3rd Saturday in May - July 5. August 24 (pleasure). October 24.	S.	Wainfleet -	3rd Saturday in May - July 5. August 24. October 24.	S.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
LINCOLNSHIRE—cont.			LINCOLNSHIRE—cont.		
Winteringham -	July 14 - - -	—	Winterton -	Tuesday before Palm Sunday. September 23.	W.
Winterton -	July 5 - - -	—	Wragly -	May 1 - - - September 28 and 29.	—
Wragby -	Holy Thursday - September 29.	Th.	Wroot -	July 11.	—
MERIONETHSHIRE:			MERIONETHSHIRE:		
Bala -	May 14 - - - July 10.	S.	Bala -	3rd Monday in January - March 6. April 22. May 14. June 3. July 10. August 11. September 11 and 27. October 25. November 8. December 19.	F.
Bettws -	March 16 - - - June 22. August 12. September 16. December 12.	—	Bettws - Gwerful Goch.	June 22 - - - August 12. September 16.	—
Corwen -	March 12 - - - May 24. July 21. October 10. December 26.	—	Corwen -	3rd Tu. in every month -	F.
Conwydd -	October 21 - - -	—	Cynwyd -	August 6 - - - October 21.	—
Dinasmouthy -	June 2 - - - September 10. October 1. November 13.	F.	Dinas Mawddy -	June 2 - - - September 10. October 18. November 13.	—
Dolgelley -	May 11 - - - July 4. September 20. October 9. November 22. December 16.	Tu.	Dolgelly -	February 20 - - - March 18. April 1. May 11. June 1 and 27. August 8. September 20. October 9. November 22. December 16.	S.
Testiniog -	May 24 - - - Friday after Trinity. July 2. August 23. September 26. October 19. November 13.	—	Festiniog -	March 7 - - - May 24. June 30. August 15. September 26. October 23. November 13	—
Harloch -	Thursday after Trinity - June 20. August 21. December 11.	S.			
Llanderfel -	August 17 - - -	—			
Llanerillo -	February 25 - - - July 5. August 28. November 14.	—	Llandullo -	February 25 May 3. 2nd Thursday in July. August 28. November 14.	—

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
MERIONETHSHIRE— cont.			MERIONETHSHIRE— cont.		
Llanfawer -	August 25 - - -	—	Llanuwchllyn -	April 22 - - - June 20. September 21	—
Llemruwehlynn -	September 22 - - - October 16.	—	Maentwrog -	May 15 - - -	—
Penystreet -	August 17 - - - September 21.	—	Trawsfynydd -	March 17 - - - April 20. August 7. September 19.	—
Towyn -	May 13 - - -	—			
MIDDLESEX :			MIDDLESEX :		
Bow -	Thursday, Friday, and Saturday in Whit week (toys).	—	Brentford -	May 17, 18, and 19 - September 12, 13, and 14.	Tu.
Beggars Bush -	September 12 - - -	—			
Brentford -	May 17, 18, and 19* - September 12, 13, and 14.*	Tu.			
Chiswick -	July 15, 16, and 17 (toys)	—			
Edgware -	Holy Thursday - - -	Th.			
Edmonton -	September 14, 15, and 16 (hiring and toys).	—			
Enfield -	September 23 (hiring) - November 30.	S.	Enfield -	November 30 - - -	S.
Hammersmith -	May 1 (toys) - - -	—			
Hounslow -	Trinity Monday - Monday after Sept. 29.	Th.	Hounslow -	Trinity Monday and Monday after Michael- mas Day.	—
London -	Old St. Bartholomew, September 4 (toys, shows, &c.) Every Monday and Friday Smithfield. Every Tuesday, Thursday, and Saturday.	—			
Southw.	- - - - -	W.			
Staines -	May 11 - - - September 19 (statute).	F.	Southgate -	September 1 - - -	—
Uxbridge -	March 25 (statute) - July 31. September 29 (hiring). October 10.	Th.	Staines -	May 11 - - - September 19.	F.
MONMOUTHSHIRE :			MONMOUTHSHIRE :		
Abergavenny -	May 14 - - - 1st Tuesday after Trinity. September 25.	—	Abergavenny -	3rd Tuesday in January, March, and June. May 14. Tuesday before July 20. September 25. November 19.	Tu.
			Blackwood -	March 2 - - - May 5. August 10. October 5.	—

* "By the charter these fairs are for six days, but are seldom kept more than three."

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
MONMOUTHSHIRE— cont.			MONMOUTHSHIRE— cont.		
Carleon - - -	May 1 - - - July 30. September 21.	Th.	Blaenavon - - -	April 16 - - - 2nd Monday in July. September 17.	S.
Castletown - - -	May 6 - - - August 5. November 26.	—	Bishton - - -	2nd Tuesday in Sept. - -	—
Chepstow - - -	Friday in Whit week - Saturday before June 20. August 1. Friday fen'night after St. Luke, October 18. Last Monday in month.	S.	Caerleon - - -	3rd Wednesday in Feb. - May 1. July 20. September 21.	2nd M. monthly.
Christchurch, near Carleon,			Christchurch - - -	November 29 - - -	—
Crismond - - -			Grosamont - - -	Easter Monday - - - August 10. October 18.	—
Magor - - -	Two last Mondays in Lent	—	Maesycwmur - - -	April 8 - - - October 6.	—
Monmouth - - -	Whit Tuesday - - - September 4. November 22.	S.	Magor - - -	Tuesday before April 17 and Tuesday before October 17.	3rd M. in the month.
Newport - - -	Holy Thursday - - - Whit Thursday. August 15. November 6. 3rd Monday in month.	S.	Monmouth - - -	2nd Monday in May - November 22.	2nd & 4th M. & S.
Pontypool - - -	April 22 - - - July 5. October 10. Last Monday in month.	S.	Newport - - -	2nd Wednesday in April and August. Whit Wednesday June 23. 1st Wednesday in Nov.	W. & S.
Trullick, near Mon- mouth.	(?) - - -	—	Peterstone - - -	1st Tuesday in July - 2nd Tuesday in October.	—
Usk - - -	Monday after Trinity - October 29.	M.	Pontypool - - -	April 2 and 22 - - - July 5. October 10.	S.
			Raglan - - -	March 31 - - - 3rd Monday in October.	3rd M. monthly.
			Redwick - - -	1st Tuesday in September	—
			Risca - - -	September 26 - - -	—
			Tredegar - - -	April 19 - - - September 21.	—
			Usk - - -	April 20 - - - Trinity Monday. Tuesday before June 18. October 29. December 16.	1st M. in the month.
			MONTGOMERYSHIRE:		
			Berriew - - -	3rd Friday in April and October.	—
			Cemmaes - - -	Saturday before third Thursday in April. May 1. October 1 and 17.	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
MONTGOMERYSHIRE :			MONTGOMERYSHIRE— cont.		
Llanidloes - -	1st Saturday in April - May 11. July 17. 1st Saturday in September. October 28.	S.	Four Crosses -	1st and 3rd Mon. monthly	—
Llanvylling -	Wednesday before Easter May 24. June 28. October 5.	Th.	Llanbrynmair -	Monday before last Tues- day in February and March. Thursday before last Thursday in April. May 31. September 30. November 11.	—
Machynleth - -	May 16 - - - - June 26. July 9. September 18. November 25.	M.	Llanfais - -	1st Friday in the month -	—
Montgomery -	March 26 - - - - 1st Thursday in March. 1st Thursday in May. June 7. September 4. November 14.	Th.	Llangurig - -	September 30 - - -	—
Newtown - -	Last Tuesday in March - 1st Tuesday after New May Day. June 24. Last Tuesday in August. October 24. December 16.	S.	Llanidloes - -	Saturday before last Tuesday in each month. May 11. 1st Friday in October.	S.
Poole - - -	2nd Monday in March - 1st Monday before Easter. June 5. 1st Monday after July 10. September 12. November 16.	M.	Machynlleth -	1st Wednesday in March - Monday before 3rd Thurs- day in April. Wednesday before Easter. May 16. 3rd Saturday in May. June 26. August 7. September 18. Last Wednesday in Sept. October 21. November 26.	W.
NORFOLK :			NORFOLK:		
Aldeburgh -	June 21 - - - -	—	Montgomery - -	1st Thursday in month except December. . 2nd Thursday in Dec.	Th.
Attleborough -	April 11 - - - - Thursday after Holy Thursday. August 15.	Th.	Newtown - - -	Last Tuesday in month -	Tu.
Alesham - -	March 2 - - - - Last Tuesday in Sept. October 6.	S.	Welshpool - -	1st and 3rd Monday in the month.	M.
Banham - -	January 22 - - -	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
NORFOLK—cont.			NORFOLK—cont.		
Bromhall - -	Mon. after Ascension Day St. Andrew's Day. November 30.	—			
Brumhill - -	July 7 - - -	—			
Burnham - -	March 15 - - - August 12.	S.			
Castle Acre -	April 18 - - - July 25 (toys, &c.)	—			
Cawston - -	January 10 - - - April 14. August 28.	Tu.			
Clay - -	July 19 - - -	—			
Coltishall - -	Whit Monday - - -	—			
Cressingham Magna	August 12 - - -	—			
Cromer - -	Whit Monday - - -	S.			
East Dereham -	Thursday and Friday be- fore Old Midsummer. Thursday and Friday be- fore New Michael.	F.			
Diss - -	November 8 - - -	F.	Dereham - -	Thursday before July 6 and September 28.	F.
Downham - -	May 8 - - -	S.	Downham - -	March 1, 2, and 3 - 1st Friday in May. 2nd Friday in November.	F.
Elmham - -	April 5 - - -	—			
East Harling -	May 4 - - - 2nd Tu. in Sept. (O.S.) October 24.	Tu.			
Fakenham - -	Whit Tuesday - - - Thursday.	—	Fakenham - -	May 17 - - -	S.
St. Faith's -	October 17 - - -	—			
Feltwell - -	November 20 (toys) -	—	Feltwell - -	November 20 - - -	—
Fineham - -	March 3 - - - August 9.	—			
Forncett - -	September 11 (toys) -	—			
Foulcham - -	Easter Tuesday - - - 1st Tuesday in May.	Tu.	Foulsham - -	1st Tuesday in May -	—
Frettenham - -	1st Monday in April -	—			
Fring - -	May 21 - - - November 30.	—			
Gaywood - -	June 11 - - -	—			
Gaywood (kept at Lynn Quay).	October 6 - - -	—			
Gissing - -	July 25 - - -	—			
Gorleston - -	June 8 - - -	—			
Gressinghall -	December 6 (toys) -	—			
Harleston - -	July 5 - - - September 9.	W.			
Harpley - -	July 24 - - -	—	Harling - -	May 4 - - - 1st Tuesday after Sept. 12. October 24.	
Hempnall - -	Whit Monday - - - December 11.	—			
Hempton - -	Whit Tuesday - - - November 22.	—	Hempton - -	Whit Tuesday - - - 1st Wednesday in Sept. November 22.	T.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
NORFOLK—cont.			NORFOLK—cont.		
Hingham - -	March 6 - - - Whit Tuesday. October 2.	S.	Hilgay - -	May 1 - - -	—
Hitcham - -	August 3 - - -	—			
Hockham - -	Easter Monday (toys) -	—			
Hockhold - -	July 25 (toys) - - -	—	Hockwold - -	July 25 - - -	—
Holt - - -	April 25 - - - November 25.	S.			
Horning - -	Monday after August 2 -	—			
Ingham - -	Monday after Whit Mon.	—			
Kenninghall -	July 16 - - - September 30.	—	Kenninghall -	July 18 - - - September 30.	M.
Kipmash - -	August 24 - - -	—			
Loddon - -	Easter Monday - - - Monday after Martinmas. November 22.	F.			
Lycham - -	November 1 (toys) -	—			
Lynn, King's -	Feb. 13 (lasts six days) - Week after Old Michael (lasts two days).	Tu. & S.	Lynn - - -	February 14 - - - 2nd Tuesday in April and November.	T. & S.
Magdalen Hill, near Norwich.	August 2 - - -	—			
Martham, near Yar- mouth.	1st Tu. and Wed. in May	—			
Massingham - -	Tu. before Easter* (toys) November 8.	—			
Mattishall - -	Tues. before Holy Thurs. Wed. in Whitsun week. August 9.	—			
Methwold - -	November 30 - - -	—	Methwold - -	April 23 - - -	M.
New Buckenham -	May 29 - - - November 22.	S.			
Northwalsham -	Wednesday before Holy Thursday.	Th.			
Northwold - -	November 30 - - -	—	Northwold - -	November 30 - - -	—
Norwich - - -	Day before Good Friday Sat. before Whit Sunday. Sat. after Whit Sunday.	W., F., & S.	Norwich - -	Maundy Thursday Easter Mon. and Thur. December 26, 27, and 28.	—
Oxborough - -	Easter Tuesday - - -	—	Outwell - -	July 1 and 2 - - -	—
Pulham, St. Mary Magdalen.	Fortnight before Whit Monday.	—			
Reepham - -	June 29 - - -	S.			
Roudham - -	May 17 - - - October 2.	—			
Scole - - -	Easter Tuesday - - -	—			
Scotto - - -	Easter Tuesday - - -	—			
Seeching - -	Fortnightly markets -	F. &			
Shouldham - -	September 19 - - - October 10.	—	Shouldham -	September 19 - - - October 11.	—
South Repps -	July 25 - - -	—			
Sprowston - -	August 2 - - -	—			

* "Commonly called the Gant."

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
NORFOLK—cont.			NORFOLK—cont.		
Stoke - -	December 6 - -	—	Stoke Ferry - -	December 6 - -	—
Stow-bridge - -	May 29 - - Sat. after Whit Sunday.	—	Stow Bridge - -	Sat. after Whit Sunday -	—
Swaffham - -	May 12 - - July 21. November 3.	S.	Swaffham - -	2nd Wednesday in May - 3rd Wednesday in July. 1st Wednesday in Nov	S
Thetford - -	Holy Thursday - - May 14. August 2. September 25. December 9.	S.			
Walsingham - -	Fortnight after Whit Sunday.	F.	Upwell - - -	June 29 and 30 - -	—
Watton - - -	July 10 - - October 10. November 8.	W.	Walsingham - -	2nd Mon. after Whit Mon.	
Weasenham - -	January 25 (toys).	—			
Worstead - -	May 14 - - -	S.	Wells - - -	Shrove Tuesday - -	—
Wymondham - -	February 18 - - May 17. September 7.	F.	Wymondham - -	February 14 - - May 17.	F.
Yarmouth - -	Friday and Saturday in Easter week.	S.	Yarmouth - -	Shrove Mon. and Tues. - Friday and Saturday in Easter week.	W. & S.
NORTHAMPTONSHIRE:			NORTHAMPTONSHIRE:		
Boughton Green - -	June 24, 25, and 26 -	—	Boughton - - -	June 25, 26, and 27 -	—
Brackley - - -	Wed. after February 25. 2nd Wed. in April (O.S.) Wednesday after Oct. 10. December 11.	W.	Brackley - - -	2nd and 4th Wed. monthly December 11.	W.
Brigstock - - -	April 25 (St. Mark) - September 4 (Old St. Bartholomew). Nov. 22 (Old Martinmas).	—	Brigstock - - -	April 25 - - September 4. November 22.	—
Brixworth - -	May 1 - - -	—			
Daventry - - -	Whit Monday.	—	Daventry - - -	October 27 - - 2nd Tuesday monthly.	—
Fatheringay - -	Easter Tuesday - - June 6. August 3. October 2. October 27.	W.	Fotheringhay - -	Monday after July 18 -	—
Higham Ferrers - -	3rd Monday after Old Midsummer. July 5.	—	Higham Ferrers - -	Tuesday before Feb. 5 - March 6. Thursday before May 12. June 28. October 11. December 6.	—
Kettering - - -	Thursday before Feb. 5 - March 7. Thursday before May 12. June 28. Thursday before Aug. 5. Thursday before Aug. 15. October 10. (S. Catherine) Dec. 6.	S.	Kettering - - -	Thursday before Easter - Fri. before Whit Sunday. Thursday before Oct. 11. Thursday before Dec. 21.	F.

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
NORTHAMPTONSHIRE —cont.			NORTHAMPTONSHIRE —cont.		
Kong's Cliff -	October 29 - - -	Tu.	Kingscliffe -	October 29 - - -	—
Northampton -	February 20 - - - March 25. April 5. May 4. June 19. August 5. August 26. September 10. November 28. December 19.	—			
New Inn Road -	October 8 (statute) -	—	Long Buckby -	May 1 - - - - October 11.	—
			Northampton -	2nd Tuesday in January - February 20. 3rd Monday in March. April 5. May 5. June 19. August 5 and 26. September 19. 1st Thursday in Nov. November 28.	—
Oundle - - -	February 24 - - - Whit Monday. August 21. October 11.	S.	Oundle - - -	February 21 to 25 - October 12.	.
Peterborough -	July 10 - - - October 2.	S.	Peterborough -	1st Wednesday in July - 1st Wednesday in Sept. 1st Wed. and Thur. in Oct.	W. & S.
Rockingham -	September 25 - - -	—	Rockingham -	September 25 - - -	—
Rowell - - -	Trinity Monday (all the week).	M.	Rothwell -	Trinity Monday - - -	—
Thrapstone -	1st Tuesday in May - St. James (August 5).	—	Thrapston -	1st Tuesday in May - Tuesday after Old Michaelmas Day.	T.
Towcester -	Shrove Tuesday - - - May 12. Tuesday before Oct. 10 (statute) October 29.	Tu.	Towcester -	Shrove Tuesday - - - May 12. October 29.	—
Weldon - - -	1st Thursday in February 1st Thursday in May. 1st Thursday in August. 1st Thursday in November.	—	Weldon -	Thursday after 2nd Sunday in July.	—
Wellingborough -	Easter Wednesday - - Whit Wednesday. October 29.	W.	Wellingborough -	Wed. in Easter and Whit week. October 29.	W.
West Haddon -	May 2 - - - -	—			
Yardley - - -	Whit Tuesday - - -	—			
NORTHUMBERLAND:			NORTHUMBERLAND:		
Allentown - -	May 10 - - - - November 14.	—	Allendale Town -	Friday before May 18 - August 22. 1st Friday after Oct. 29.	—
Alnwick - - -	Palm Sunday Eve - - - May 12. Last Monday in July. 1st Tuesday in October. October 28. Sat. before Christmas Day (August 1, guild).	S.	Alnwick - - -	1st Saturday in March (hiring). 1st Saturday in Nov. 1st Monday in May. Saturday after July 5. Last Monday in July. 1st Monday in October.	S.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
NORTHUMBERLAND— cont.			NORTHUMBERLAND— cont.		
Bedford - -	Tu. before Whit Sunday - August 23.	—	Belford - -	1st Wednesday in March (hiring). July 2nd.	—
Billingham - -	Saturday after Sept. 15 -	Tu. & S.	Bellingham - -	Saturday after July 20 - 3rd Saturday in August. Saturday after Sept. 15. 3rd Saturday in October.	—
Berwick - -	Friday in Trinity week -	S.	Berwick - -	First Saturday in March, May, and November. Last Friday in May.	S.
Elsdon - -	August 26 - -	—	Blanchland - -	August 24 - - October 4.	—
Haltwhistle - -	May 14 - - November 22.	Tu.	Fenton - -	September 27 - -	—
Harbottle - -	September 19 - -	Tu.	Haltwhistle - -	May 14 - - September 17. November 22.	—
Hexham - -	August 5 - - November 8.	F.	Harbottle - -	July 8 - - September 19.	—
Morpeth - -	Wed., Thurs., and Fri. se'nnight before Whit Sunday. Wed. before July 22.	W.	Hexham - -	March 24 - - August 6. November 9.	Tu.
Newcastle - -	August 12 (9 days) - October 29 (9 days). Nov. 22 ("The Town Fair.")	Tu. & S.	Morpeth - -	1st Wednesday in March, May, and November. Last Wednesday in March and October.	—
Ovingham - -	April 26 - - October 26.	—	Newcastle-on-Tyne	Last Wednesday in Mar., October, and Nov. 2nd Wednesday in Aug.	Tu. & S.
Rothbury - -	Friday in Easter week - Whit Monday. October 2. All Saints (November 1).	—	North Shields - -	(See Durham) - -	—
Saint Ninian - -	September 27 - -	—	Rothury - -	Whit Monday - - November 1.	—
Stagshawbank - -	Whitsun Eve - - July 4.	—	Stagshawbank - -	May 6 - - Sat. before Whit Sunday. July 4. August 5. September 26. October 24.	—
Stamfordham - -	2nd Tuesday in April - August 15.	—	Stamfordham - -	Thursday before April and August 26. 1st Thursday in October.	—
Warkworth - -	St. Mark (April 25) - Old Michael.	Th.	Warkworth - -	Thursday before Nov. 23	—
Wealwoodbank - -	Whit Tuesday - -	—	Whitsunbank - -	3rd Monday in May -	—
Whittingham - -	September 4 - -	—	Wooler - -	May 4 - - October 17.	Th.
Wooler - -	May 4 - - October 17.	Th.			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
NOTTINGHAMSHIRE:			NOTTINGHAMSHIRE:		
Bingham - -	February 13 and 14 1st Thursday in May. Whit Thursday. May 31. November 8 and 9.	Th.	Bawtry - -	Whit Thursday - - November 11.	—
Blyth - -	Holy Thursday - - October 20.	W.	Bingham - -	Statute 1st and 3rd Th. in November	Th.
Dunholme - -	August 12 - -	—	Blyth - -	Holy Thursday - - October 20.	—
Edwinstone - -	October 24 - -	—	Eastwood - -	1st Monday in May - Monday after October 11. Statute 1st Monday in November.	—
Gringley - -	December 12 - -	—	Edwinstowe - -	October 24 - -	—
Lenton - -	Wednesday in Whit week Martinmas (Nov. 11).	—	Gringley - -	December 13 - -	—
Mansfield - -	1st Thursday in April - July 10.* 2nd Thursday in Oct.	Th.	Lenton - -	Whit Wednesday - - November 11.	—
Marnham - -	September 12 - -	—	Mansfield - -	1st Thursday in April - July 10. 2nd Thursday in Oct. 1st Friday in November.	M. & Th.
Newark - -	Friday in Mid-Lent May 14. Whit Tuesday. August 2. November 12. Monday before Dec. 11.	W.	Marnham - -	September 12 - -	—
Nottingham - -	Friday after Jan. 13. - March 7 and 8. Thursday before Easter. October 2, 3, and 4.	W., F., & S.	Newark - -	Friday in Mid-Lent May 14. Whit Tuesday. August 2. Wednesday before Oct. 2. November 1. Monday before Dec. 11.	—
Ollerton - -	May 1 - -	—	Nottingham - -	Friday after January 13 - March 7. Thursday before Easter. 1st Thursday in October.	W. & S.
Retford - -	March 23 - - October 2.	S.	Ollerton - -	May 1 - - Last Friday in September	F.
Southwell - -	Whit Monday - -	S.	Retford - -	March 23 - - October 2.	M. & S.
Tuxford - -	September 25 - - May 12.	M.	Southwell - -	3rd Monday in April - Whit Monday. Monday before Oct. 1.	F.
Warsop - -	Mon. before Whit Mon. - November 17.	—	Sutton-in-Ashfield -	2nd Tuesday in April - Thursday before 2nd Tu. in October.	S.
Worksop - -	March 31 - - October 14.	W.	Tuxford - -	May 12 - -	—
OXFORDSHIRE:			OXFORDSHIRE:		
Bampton - -	August 26 - -	W.	Bampton - -	August 25 and 26 - -	—
Banbury - -	Thursday after Jan. 17 - 1st Thursday in Lent. Ascension Day. Thursday and Friday in Trinity week. Corpus Christi. August 12. Thursday after Oct. 10. October 29.	—	Banbury - -	1st Thursday after Old 'Twelfth Day, and three days previous for horses. 1st Thursday after Old Michaelmas Day. 2nd Thursday before Christmas Day.	Th.

* "Lately set up and called a 'meeting,' there being no charter of fair on that date."

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
OXFORDSHIRE—cont.			OXFORDSHIRE—cont.		
Bicester - - -	Friday in Easter week - Whit Monday. 1st Friday in June. August 5. December 17. Friday after Old St. Michael, October 10.	F.	Bicester - - -	Friday in Easter week - 1st Friday in June and July. August 5 and 6. Friday before Oct. 11 and two following Fridays. Friday after Dec. 11.	F.
Burford - - -	July 5 - - - September 25.	S.	Burford - - -	Last Saturday in April - September 25. Saturday before and after October 11.	S
Charlbury - - -	January 1 - - - 2nd Friday in Lent. 2nd Friday after May 12. October 10.	F.	Charlbury - - -	January 1 - - -	--
Chipping Norton -	March 7 - - - May 6. Last Friday in May. July 18. September 4. October 3 (statute). November 8. Last Friday in November.	W.	Chipping Norton -	1st Wed. in the month - Statute Wednesday on, before, and after Oct. 10.	W.
Deddington - - -	August 21 - - - Saturday after Old St. Michael, October 10 (statute). November 22.	Tu.	Crommarsh - - -	August 2 - - -	—
Dorchester - - -	Easter Tuesday (pleasure)	—	Deddington - - -	November 22 - - -	—
Henley - - -	March 7 - - - Holy Thursday. Th. after Trinity Sunday. Thursday se'nnight before October 10.	Th.	Dorchester - - -	Easter Tuesday - - -	—
Hook Norton - - -	June 29 - - - November 28.	—	Henley-on-Thames -	March 7 - - - Holy Thursday. Trinity Thursday.	Th.
Nettlebed - - -	Monday after St. Luke, October 18 (toys). Tuesday se'nnight after Whitsun (toys).	--	Heyford - - -	Last Monday in January, March, April, May, July, and September. Monthly.	—
Oxford - - -	May 8 - - - Monday after St. Giles. September 1. Th. before New Michaelmas.	W. & S.	Nettlebed - - -	Monday before Oct. 29 -	—
Stokenchurch - -	July 10 - - -	—	Oxford - - -	Monday after 1st Sunday in September. Thursday before Sept. 29.	W.
Thame - - -	Easter Tuesday - - Old Michaelmas. October 10.	Tu.	Stokenchurch - -	July 10 - - -	—
Watlington - - -	April 5 - - - Saturday before Oct. 10.	S.	Thame - - -	October 11 - - -	Tu.
Wheatby - - -	September 29 - - -	—	Witney - - -	Easter Thursday - Monday and Tuesday after September 8. Thursday before and after October 11.	Alternate Th.
Witney - - -	Thursday in Easter week April 5. June 29. August 2. November 23.	Th.	Woodcote - - -	1st Monday after Nov. 16	—
Woodcott - - -	August 2 - - - Monday after Nov. 11.	—	Woodstock - - -	1st Tuesday in October -	1st Tu. in the month.
Woodstock - - -	April 5 - - - Tuesday in Whit week. August 2. October 2. Tuesday after Nov. 1. December 17. 2nd Tu. after Candlemas.	Tu.			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
PEMBROKESHIRE :			PEMBROKESHIRE :		
Camrass -	February 13 - November 12. -	—	Carew -	February 14 - May 2. - August 8. - November 14. -	—
			Cilgerran -	June 15 - August 19. -	—
			Crymmych -	Last Tuesday in month -	—
Eglwysrw -	Ascension Day - 1st Monday after Nov. 22 -	—	Eglwysrw -	2nd Monday in April - May 21. - August 4. - Monday after Nov. 22. -	—
			Fishguard -	February 5 - Easter Tuesday. - Whit Tuesday. - October 8. - November 17. -	Th.
Haverfordwest -	Old Lady Day, April 5 - May 12. - Ascension Day (O.S.). - June 12. - July 18. - September 4. - September 24. - October 18. -	Tu. & S.	Haverfordwest -	January 12 - February 9. - March 16. - April 13. - May 11. - June 8. - July 13. - August 10. - September 6 and 21. - October 5 and 19. - November 9. - December 14. -	—
			Henfeddaw -	September 28 - October 30. -	—
Kilgarren -	August 21 - November 12. -	W.	Herbrandston -	August 12 - Old Michaelmas Day (hiring). -	—
Lawhaden -	May 29 - November 22. -	—			
			Letterston -	January 18 - February 15. - March 15. - April 19. - May 17. - June 21. - July 19. - August 16. - September 10. - October 10 (hiring). - October 21. - December 13. -	—
			Little Have ⁿ -	November 1 (hiring) -	—
			Little Newcastle -	May 6 - July 10. - December 19. -	—
			Llandeloy -	May 1 - June 25. - August 24. - November 1. -	—
Maenllochog -	May 22 -	—	Maenlochog -	March 10 - April 30. - May 22. - July 5. - August 5. - September 16. - Monday before Oct. 29. - November 20. - December 22. -	—
Mathry	October 10 -	—	Mathrey -	October 10 and 11 -	—

List of 1793.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
PEMBROKESHIRE— <i>cont.</i>			PEMBROKESHIRE— <i>cont.</i>		
Narberth - -	June 4 - - - July 5. September 26. December 11.	W.	Narberth - -	January - - - February 16. March 16. April 13. May 11. June 2 and 29. July 13. August 10. September 21. October 6 (hiring) and 19. November 16. December 14.	—
Newport - -	June 27 - - -	S.	Newport - -	June 27 - - - October 16 (cattle and hiring).	—
Pembroke - -	May 14 - - - Trinity Monday. July 10. September 25.	S.	Pembroke - -	2nd Monday in April, May, and July. September 19. October 10 and 17. December 12.	S.
			Puncheston -	2nd Monday after Nov. 22	—
			St. Davids - -	1st Tuesday in March, June, August, October, and December.	—
			Templeton - -	November 12 - -	—
			Trefine - -	November 22 - -	—
			Waterson - -	September 26 - -	—
			Wiston - -	November 16 - -	—
RADNORSHIRE :			RADNORSHIRE :		
			Franksbridge -	May 15 - - - October 16.	—
Howey - -	Saturday before Feb. 13 - Saturday before May 12. Sat. before Trinity Sun. Saturday before Nov. 12.	--			
Knighton - -	Thursday before Easter - May 17. October 2. Last Thursday in Oct. Thursday before Nov. 12.	Th.	Knighton - -	3rd Thursday in January Friday after March 4. 3rd Thursday in April. May 17. Thursday after July 10. August 18. September 13 and 14. October 1 and 2. Thursday before Nov. 12. Thursday after Dec. 11.	—
			Llanbadarn-fynydd	Friday before last Tuesday in March, April, and July. Saturday before last Thursday in Sept. 2nd Friday in October.	--
			Llandewy - -	1st Tuesday in July - September 11.	--
			Newbridge-on-Wye	3rd Thursday in March - May 17 (hiring). July 15. October 17. November 11	--

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
RADNORSHIRE—cont.			RADNORSHIRE—cont.		
Pains Castle -	May 12 - - - September 22. December 15.	—			
Peny Pont - -	May 12 - - - September 11. October 26.	—	Peny-y-bont - -	3rd Friday in March - May 18 and 14. Tuesday after July 10. August 5 and 26. September 25. October 16 and 26.	W.
Presteign - -	June 25 - - - December 11.	S.	Presteign - -	1st Saturday in February and April. May 9. June 20. Last Saturday in August. October 17. December 2.	S.
Radnor - -	Tu. before Holy Thursday 1st Tuesday after Trinity. August 14. October 28. October 29.	Th.	Radnor - -	August 14 - - - September 10. October 28 and 29.	F.
Rhayador - -	August 6 and 27 - September 26. 1st Wed. after Oct. 10. "Dom Fair" Dec. 3.	W.	Rhayader - -	February 22 - - - March 21. May 12, 16, 23, and 30. Wed. before July 11. August 6 and 27. September 26. October 15. November 14. December 3 and 19.	—
RUTLANDSHIRE:			RUTLANDSHIRE:		
Okeham - -	March 15 - - - April 8. May 6. September 9.	S.			
Uppingham -	March 7 - - - July 7.	W.	Uppingham - -	March 7 - - - July 7.	W.
SHROPSHIRE:			SHROPSHIRE:		
Albrighton -	May 28 - - - July 18. November 9.	—			
Battlefield -	August 2 - - -	—			
Bishop's Castle -	Friday before Feb. 13 - Friday before Good Friday. 1st Friday after May Day. July 5. September 9. November 13.	F.	Bishop's Castle -	March 26 - - - 2nd Friday monthly.	F.
Bridgenorth -	Thursday before Shrove Tide. May 1. June 30. August 2. October 29.	S.	Bridgnorth - -	3rd Monday in January, February, and March. May 1. June 14 (wool, cattle, and cheese). July 12. August 16. September 14 and 20. October 29. 1st Monday in December.	S.
Brosely - -	Easter Monday.	—	Broseley - -	Last Tuesday in April -	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SHROPSHIRE—cont.			SHROPSHIRE—cont.		
			Church Stretton -	2nd Thursday in Jan. - 3rd Thursday in March. May 14. July 8. September 25. Last Thursday in Nov.	Th.
Cleobury Mortimer	April 21 - - - October 27.	W.	Cleobury - - -	April 21 - - - May 2. Trinity Monday. October 27.	W.
Clun - - -	Whit Monday - - - November 22.	—	Clun - - - -	Last Friday in January - 3rd Monday in March. May 11 (hiring). June 15. August 23. September 28. November 22.	Tu.
Elesmere - - -	3rd Tuesday in April - Whit Tuesday. August 25. November 14.	T.			
Hales-Owen - - -	Easter Monday - - - Whit Monday.	M.	Halesowen - - -	Easter Monday and Tuesday. Monday nearest Oct. 10.	—
Hodnett - - -	May 15 - - - - -	—	Ironbridge - - -	May 29 - - - - -	F.
Llanymyneck - - -	May 29 - - - - - September 29.	—	Llanymynech - - -	September 23 - - -	—
Ludlow - - - -	Monday before Feb. 13 - Tuesday before Easter. Wednesday in Whit week. August 21. September 28. December 6.	M.	Ludlow - - - -	2nd Monday monthly -	—
Market Drayton	Wednesday before Palm Sunday. September 19. October 24.	W.	Market Drayton -	Wed. before Palm Sunday Wed. before Sept. 20. October 25.	W*
			Minsterley - - -	2nd Monday monthly May 8.	—
			Much Wenlock -	May 12 - - - - -	M.
Newport - - - -	Saturday before Palm Sunday. May 28. July 27. September 25. December 10.	S.			
Oswestry - - - -	March 15 - - - - - May 12. Wednesday before Mid- summer Day. August 15. Wed. before Michaelmas Day. December 11.	W. & S.	Oswestry - - - -	1st Wednesday monthly -	W.
Powder Batch - -	September 27 - - -	—			
Ruiton - - - - -	July 5 - - - - -	—			
St. Kenelms - - -	July 28 - - - - -	—			
Shifnal - - - - -	August 5 - - - - - November 22.	F.	Shifnal - - - - -	November 22 - - -	Alternate M.
Shrewsbury - - -	February 28 - - - - Saturday after March 15. Wednesday before Easter week. Wednesday before Whit Sunday. July 8. August 12. October 2. December 12.	W., Th., & S.	Shrewsbury - - -	- - - - -	Tu.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SHROPSHIRE—cont.			SHROPSHIRE—cont.		
Stretton Church	May 14 - - - September 25.	Th.			
Wattlesbury -	August 5 - - -	—			
Wellington	March 29 - - - June 22. November 17.	Th.	Wellington -	- - - -	M., Th., & S. (cattle).
Wem -	May 6 - - - Holy Thursday. June 29. November 22.	—	Wem -	Monthly - - -	Th.
Wenlock -	May 12 - - - July 5. October 17. December 4.	M.			
Westbury -	August 5 - - -	—			
Whitchurch -	Whit Monday - - October 28.	F			
			Worthen -	Last Monday in March - May 2 (hiring). Last Monday in June, September, and No- vember.	—
SOMERSETSHIRE:			SOMERSETSHIRE:		
Ashbrittle -	February 25 - - -	—	Ashcott -	January 9 - - -	—
Ashill -	Easter Wednesday 1st Wed. after Sept. 8.	—			
Axbridge -	February 3 - - - March 25. June 11.	Th.	Axbridge -	March 25 - - -	2nd Tu. monthly.
Backwell -	September 21 - - -	—			
Baghor West -	May 12 - - -	—			
Banwell -	January 18 - - - July 18.	—			
Bath -	February 14 - - - July 10.	W. & S.	Bath -	February 14 - - - 1st Tuesday after Dec. 9.	—
Binegar -	Whit Monday - - Whit Tuesday. Whit Wednesday. Whit Thursday.	—	Binegar -	Whit Wednesday - -	—
Bishop's Lydeard -	March 25 - - - September 8 (toys).	—			
Bleagon -	Last Friday in August -	—			
Brewton -	May 4 - - - September 19.	S.	Borough Bridge -	Last Tuesday in August -	—
Bridgewater -	2nd Thursday in Lent - June 24. October 2. December 28.	Th. & S.	Bridely -	August 21 - - -	—
			Bridgewater -	Last Wednesday in January, March, June, and September.	W.
Bristol -	March 1 - - - September 1. Thursday before July 25.	W., F., & S.	Bristol -	Thursday after March 1 - 1st Th. after Sept. 1.	—
Bromfield -	November 3 - - -	—	Broadway -	Wednesday after Sept. 10	—

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SOMERSETSHIRE—cont.			SOMERSETSHIRE—cont.		
Buckland - - -	October 10 - - -	—	Bruton - - -	April 23 - - - September 17.	—
Buckland St. Mary	September 18 and 19 -	—			
Burnham - - -	Trinity Monday - -	—			
Castlecary - - -	Mid-Lent Tuesday May 1. Whit Tuesday.	T.	Castle Cary - - -	Tuesday before Palm Sunday. May 1. Whit Tuesday. 1st Tuesday after Sept. 19.	Tu.
Chard - - -	May 3 - - - August 5. November 2.	M.	Chard - - -	1st Wednesday in May, August, and November.	—
Chedder - - -	May 4 - - - October 29.	—	Cheddar - - -	1st Tuesday in May - Last Tuesday in October.	—
Chisselborough -	October 29 - - -	—			
Cock Hill - - -	January 8 - - -	—			
Comb St. Nicholas -	Wednesday before Dec. 10	—	Congresbury - - -	1st Monday after Sept. 8	—
Congerbury - - -	September 14 - - -	—	Coombe St. Nicholas	Wednesday after Dec. 10	—
Crewkerne - - -	September 4 - - -	S.	Crewkerne - - -	September 4 - - -	W. & S.
Crowcomb - - -	1st Friday in May - Monday after August 1. October 31.	T.			
Curry Rival - - -	Monday after Lammas - August 1.	—			
Dulverton - - -	July 10 - - - November 8.	S.	Draycott - - -	2nd Monday in Sept. -	—
Dundry - - -	September 12 - - -	—			
Dunster - - -	Whit Monday - - -	F.			
East Brent - - -	August 26 - - -	—			
Freshford - - -	September 6 - - -	—			
Frome - - -	February 24 - - - July 22. September 14. November 25.	W.	Frome - - -	Last Wednesday in February, September, and November.	W.
Glastonbury - - -	"Tor Fair," Sept. 19 -	Tu.	Glastonbury - - -	September 19 - - - October 11.	2nd & 4th M.
Hinton St. George -	April 23 - - -	—	Henton St. George	April 23 - - -	—
			Highbridge - - -	1st and 3rd Mondays monthly (cattle).	—
Holloway - - -	May 14 - - -	—			
Huntspill - - -	June 29 - - -	—			
Ilminster - - -	Last Wednesday in Aug.	—	Ilminster - - -	Last Wednesday but one in February and Sep- tember. Last Wednesday in May, July, August, and November.	—
Ivelchester - - -	Monday fortnight before Easter. July 2. August 2.	W.			
Keynsham - - -	April 26 and 27 March 24. August 15.	Th.	Keynsham - - -	1st Wed after Aug. 15 -	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SOMERSETSHIRE—cont.			SOMERSETSHIRE—cont.		
Kilminton -	Monday after St. Bartholomew, August 24.	—			/
Kingsbrampton -	Wednesday before Holy Thursday. Thursday se'nnight after October 10.	—			
Langeridge -	August 2 - - -	—			
Langport -	2nd Monday in Lent June 29. October 5. November 22.	S.	Langport -	Monday after Easter Monday. August 15. September 3.	Alternate Tu.
Lansdown -	August 10 - - -	—	Lansdown -	August 10 - - -	—
Lidford-Green -	August 1 - - -	—			
Limpsham -	April 25 - - -	—			
	•		Lyng -	2nd Monday in August -	—
Mark -	September 15 - - Tu. before Whit Sunday.	—			
Martock -	August 21 - - -	—	Martock -	August 21 - - -	—
			Midsomer Norton -	April 25 - - -	—
Milbourne Port -	June 5 - - - October 28 (chiefly toys)	—	Milborne -	June 5 - - - October 28.	—
Miles -	Monday after Trinity Monday.	—			
Milverton -	Tuesday in Easter week - St. James. July 25. October 10.	—			
Minehead -	Wed. in Whit week -	W.			
Moorlinch -	August 20 - - -	—			
Montacute -	May 6 - - -	—			
North Curry -	August 1 - - -	Tu.			
North Petherston -	May 1 - - -	Tu.	North Petherston -	May 1 - - - November 8.	—
			Norton St. Philip -	May 1 - - -	—
Nunmy -	November 11 - - -	—			
Otterford -	November 17 - - -	—			
			Pawlet -	Last Monday in August and October.	—
Pensford -	May 6 - - - November 8.	Tu.			
Phillips-Norton -	March 21 - - - March 27. May 1.	Th.			
Porlock -	Thursday before May 12 Th. before October 9. Th. before November 12.	Th.	Porlock -	Thursday before May 12 and October 9. November 12.	—
Portbury -	Whit Monday - - -	—			
Priddy -	August 21 - - -	—	Priddy -	August 21 - - - "1st day of Winter."	—
Queen Camel -	October 25 - - -	—			
Red Linch -	St. Peter June 29.	—			
Road -	Monday after August 29 -	—			
Ruishton -	Whit Monday - - -	—	Shepton Mallet -	August 8 - - - 2nd Monday in Nov.	—

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SOMERSETSHIRE—cont.			SOMERSETSHIRE—cont.		
			Shipham - -	Last Wednesday in April November 17.	—
Shipton Mallet -	August 8 - -	F.			
Snowdon - -	Thursday in Whit week -	—			
Somerton - -	Palm Tuesday - - Tuesday three weeks after Palm Tuesday. Tuesday six weeks after Palm Tuesday. Tuesday nine weeks after Palm Tuesday.	Tu.			
South Brent -	October 10 - -	—			
South Petherton -	July 5 - - - -	—			
Staverdale - -	August 5 - -	—			
Stanford - -	June 11 - - - - September 28.	—			
St. Decumans -	August 24 - - -	—			
			Stoford - -	June 2 and 11 - - September 20 and 30.	—
Stogursey - -	May 2 - - - - September 12.	—			
Stoke-Gomer -	May 6 - - - - August 1.	—			
Stoke under Hamden	April 25 - - -	—	Stoke under Hamdon	April 25 - - -	—
			South Petherton -	July 6 - - -	—
Stowey - - -	September 7 - - -	Tu.			
Sucklebridge -	Fri. before Holy Thursday Wednesday after Oct. 10.	—			
Taunton - -	June 17 - - - - July 7, three days.	W. & S.	Taunton - -	June 17 - - - - July 7.	W. & S.
Ubley - - -	October 4 - - -	—			
Watchet - -	April 5 - - - - August 25.	S.			
Wedmore - -	August 2 - - -	—	Wedmore - -	Monday before July 25 - Last Monday in Sept.	—
Wellington - -	Thursday before Easter - Holy Thursday.	Th.	Wellington -	2nd Wednesday in March 1st Wednesday in June.	1st Th. in the month.
Wellow - -	May 20 - - - - October 17.	—	Wellow - -	October 17 - - -	—
Wells - - -	May 17 - - - - July 5. October 17 and 26. November 17 and 30.	W. & S.	Wells - - -	1st Tuesday in January, May, July, November, and December.	S.
			Weston-super-Mare -	- - - -	Last Tu. in every month.
Weston Zoyland -	September 9 - -	—	Weston-Zoyland -	September 9 - -	—
			West Pennard -	Last Monday in July -	—
Whit-down - -	Whit Monday - -	—			
Williton - -	Trinity Monday - -	—	Williton - -	Tuesday before 1st Wed- nesday in December.	—
Winsham - -	Wednesday in Whit week	—			
Wincanton -	Easter Tuesday - - Last Saturday in May. September 29.	W.	Wincanton - -	September 29 - -	W.

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SOMERSETSHIRE—cont.			SOMERSETSHIRE—cont.		
Wivilscombe -	May 12 - - - September 25.	Tu.	Woolavington -	October 18 - - -	—
Wootton-Courtney	September 19 - - -	—	Yarlington -	August 26 - - -	—
Yarlington - -	August 26 - - -	—	Yeovil - - -	Last Friday in June - 3rd Friday in November.	F.
Yeovil - - -	June 28 - - - November 17.	F.			
STAFFORDSHIRE:			STAFFORDSHIRE :		
Abbot's Bromley -	Tuesday before Mid-Lent Sunday. May 22. September 4.	Tu.	Burslem - - -	Saturday before Shrove Tuesday, Easter and Whitsun. Sat. on or after June 24. December 24.	M., W., & S.
Barton Underwood	May 3 - - - November 28.	—	Burton-on-Trent -	October 28 and 29 -	Th.
Bentley - - -	July 31 - - - Whit Wednesday.	—	Cannock - - -	May 8 - - - August 24. October 18.	S.
Breewood - - -	September 19 - - -	Tu.	Caverswall -	2nd Tu. in April and Oct.	—
Burton on Trent -	February 5 - - - April 5. Holy Thursday. July 16. October 29.	Th.	Cellar Head -	May 5 - - - Thursday after Nov. 1.	—
Cannock - - -	May 8 - - - October 18.	—	Cheadle - - -	January 3 - - - March 25. Holy Thursday. July 7. August 21. October 18.	F.
Cheadle - - -	March 25 - - - Holy Thursday. August 21. October 18.	S.	Eccleshall - - -	Thursday before Mid-Lent Thursday. Holy Thursday. August 16. 1st Friday in November.	—
Eccleshall - - -	Thursday before Mid-Lent Thursday. Holy Thursday. August 16. 1st Friday in November.	—	Fazeley - - -	Monday after October 10	S.
Fazley - - -	March 21 - - - Monday after October 10.	—	Flash - - -	September 29 - - -	—
Hayward Heath -	November 17 - - -	—	Gnosall - - -	May 7 - - -	—
Holy Cross - - -	2nd Wed. in April and September.	—	Grindon - - -	Tu. on or next to Nov. 1	—
			Ipsstones - - -	Mon. nearest to Nov. 6	—
			Kinver - - -	Last Tuesday in February 2nd Tuesday in May. 1st Tuesday in December.	—

LIST OF 1792.			LIST OF 1883.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
STAFFORDSHIRE—cont.			STAFFORDSHIRE—cont.		
Leek - - -	Easter Wednesday - - May 18. Whit Wednesday. July 3. July 28. Wednesday after Oct. 10. Wed. before Candlemas (O.S.) November 13.	W.	Leek - - -	Wed. before Feb. 13 - Easter Wednesday. May 18. Whit Wednesday. July 3 and 28. Wednesday after Oct. 10. November 13. Wed. after Christmas. Last Wednesday in Feb- ruary, August, and October.	Alternate W.
Litchfield - -	Ash Wednesday - - May 12. 1st Tuesday in Nov.	Tu. & F.	Lichfield - -	Ash Wednesday - - May 12. Friday after St. Simon. Friday after Twelfth Day.	—
Longnor - - -	Tu. before Old Candlemas Easter Tuesday. May 4 and 17. Whit Tuesday. August 5. Tu. before Old Michaelmas November 12.	Tu.	Longnor - - -	Tuesday before Feb. 14 - Easter Tuesday. May 4 and 17. Whit Tuesday. August 5. 1st Tuesday in October. November 12.	Tu.
Newcastle - -	Shrove Monday - - - Easter Monday. Whit Monday. Monday before July 15. Monday after Sept. 11. November 6.	M.	Newcastle - under - Lyme.	January 10 and 31 - February 21. March 21. April 11. May 9 and 30. July 11. August 1 and 22. September 19. October 10. November 7. December 5.	M. & S.
Pattingham - -	Last Tuesday in April -	—			
Penkridge - -	April 30 - - - 1st Monday in September.	—	Penkridge - -	April 30 - - - September 2. October 10.	
Rudgley - - -	June 6 - - - October 21.	T.	Rugeley - - -	June 1 to 6 - - - October 21. December 8.	Th.
Sandon - - -	November 14 - - -	—			
Stafford - - -	Tu. before Shrove Tu. - May 14. Sat. before St. Peter. June 29. July 10. September 16, 17, and 18. October 2. December 4.	S.	Stafford - - -	Tu. before Shrove Tu. - April 3. May 14. Saturday before June 29. October 2. December 4.	S.
Stone - - -	Tuesday after Mid-Lent - Shrove Tuesday. Whit Tuesday. May 29. August 5.	T.			
Tamworth - -	May 4 - - - July 26. October 24.	S.	Tamworth - -	July 26 - - -	S.
Tean - - -	April 10 - - - November 12.	—			
Tutbury - - -	February 14 - - - August 15. December 1.	T.			
Uttoxeter - -	May 6 - - - July 5. September 1. November 27.	W.	Uttoxeter - -	May 6 - - - September 19. November 11 and 27. 1st Thursday after 2nd Tuesday in March. September 19. 1st Thursday in Sept. 2nd Thursday in Nov.	Alternate W.
Walsall - - -	February 24 - - - Whit Tuesday. Tu. before New Michael- mas Day.	T.	Walsall - - -	February 24 - - - Whit Tuesday. Tuesday before Sept. 29.	Tu. & S.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
STAFFORDSHIRE—cont.			STAFFORDSHIRE—cont.		
Wednesbury -	May 6 - - - August 4.	—	Wednesbury -	May 6 - - - August 3.	—
Wolverhampton -	July 10 - - -	W.	Wetley Rocks -	May 3 - - - 1st Th. after Oct. 21.	—
Yoxall - - -	September 1 - - -	—			
SUFFOLK.			SUFFOLK :		
Aldborough - -	March 1 - - - May 3 (toys).	S.	Beccles -	October 11 - - -	F.
Beccles - - -	Ascension Day - - - Whit Monday. St. Peter. June 29. October 2.	S.			
Bergholt - - -	Wed. after St. Swithin, July 15 (toys).	—			
Bildestone - -	Ash Wednesday - - - Holy Thursday.	W.			
Blythborough -	April 5 (toys) - - -				
Botesdale - - -	Holy Thursday - - -	W.			
Boxford - - -	Easter Monday - - - St. Thomas. December 21 (toys).	—			
Boxtead - - -	Whit Tuesday - - -	—			
Brandon - - -	February 11 - - - Monday before Easter. July 5. November 16.	—			
Bricet - - -	July 5 - - -	—			
Bungay - - -	May 14 - - - September 25.	Th.	Bungay - - -	May 14 - - -	Th.
Bures - - -	Holy Thursday (toys) -	—			
Bury St. Edmund's	October 2 to 16 - - - December 1.	F.	Bury - - -	1st Tuesday in December	W.
Clare - - -	Easter Tuesday - - - July 26.	M.	Cavendish - -	June 11 - - -	—
Cooling - - -	July 31 - - - October 17.	—			
Debenham - - -	June 24 (toys) - - -	F.			
Dunwich - - -	St. James, July 25 (toys)	S.			
Elmset - - -	Whit Tuesday - - -	—			
Earl Soham - -	August 4 - - -	—			
Eye - - -	Whit Monday - - -	S.			
Felsham - - -	August 16 - - -	—			
Finningham - -	September 4 - - -	—			
Framlingham -	Whit Monday - - - October 10.	S.			
Framsden - - -	Holy Thursday - - -	—			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SUFFOLK—cont.			SUFFOLK—cont.		
Southwold -	Trinity Monday - St. Bartholomew, Aug. 24 (toys).	Th.	Southwold -	Trinity Monday -	M. & Th.
Stanton -	May 31 -	—			
Stoke -	May 12 (toys) -	—	Stoke-by-Nayland -	1st Friday after May 12 -	—
Stowmarket -	July 10 (toys) - August 12.	Th.			
Stradbrooke -	August 10 (toys) - St. Matthew, September 21 (toys).	—			
Stratford -	June 11 (toys) -	—			
Sudbury -	March 13 - July 10. December 12 (toys).	S.			
Thrandiston -	July 31 -	—			
Thwaite -	June 30 - November 25.	—			
Woodbridge -	April 5 - October 23 (toys).	W.			
Woolpit -	August 12 - September 16 and 19.	—	Woolpit -	September 16 -	—
SURREY :			SURREY :		
Bletchingley -	June 22 - November 2.	—	Blackwater -	November 8 and 9 -	—
Bookham -	Old Michaelmas Day -	—	Blechingley -	May 10 - November 2.	—
Camberwell -	August 18 (toys) -	—			
Chertsey -	1st Monday in Lent May 14. August 6. September 25.	W.	Chertsey -	1st Monday in Lent May 14. August 6. September 25.	Alternate W
Cobham -	March 17 - December 11.	—	Cobham -	May 1 (Tilt Fair) - December 11.	—
Croydon -	July 5 - October 2.	S.	Croydon	October 2 and 3 -	—
Dorking -	Day before Ascension Day.	Th.	Dorking -	Ascension Day and day before.	Th.
Dulwich -	Monday after Trinity Monday (toys).	—			
Egham -	May 10 -	—			
Epsom -	August 5 (toys) -	—	Epsom -	July 25 -	W.
Esher -	Old Bartholomew Day, September 4.	—			
Ewell -	May 12 - October 29.	Th.	Ewell -	May 12 - October 29.	—
Farnham -	Holy Thursday - June 24. November 13.	Th.	Farnham -	May 10 - June 24. November 10.	Th.
Frogerheath -	June 16 -	—			
Godalming -	February 13 - July 10.	W.	Godalming -	February 13 -	—
Guildford -	May 4 - November 22.	S.	Guildford -	May 4 - November 22.	Tu. & S.

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SURREY—cont.			SURREY—cont.		
Ham - - -	May 29 - - -	—	Haslemere - - -	May 13 - - - September 26.	Monthly, M.
Haslemere - - -	May 12 - - - September 25.	Tu.	Kingston - - -	November 13 - - -	Th. & S.
Katherine Hill - - -	October 2 - - -	—	Knaphill - - -	November 10 - - -	—
Kingston - - -	Thursday, Friday, and Saturday, in Whit week. August 2. August 3 and 4. November 13.	S.	Mitcham - - -	August 12, 13, and 14 - - -	—
Leatherhead - - -	Old Michaelmas Day, October 10.	—	Reigate - - -	December 9 - - -	—
Limpfield - - -	May 22 - - -	—	Ripley - - -	November 11 - - -	—
Lingfield - - -	May 12 - - - June 29. July 15. October 10.	—			
Mitcham - - -	August 12 (toys) - - -	—			
Mortlake - - -	July 19 (toys) - - -	—			
Peckham - - -	August 21 (toys) - - -	—			
Ryegate - - -	Whit Monday - - - 1st Wednesday every month.	Tu.			
Ripley - - -	November 8 - - -	—			
Southwark - - -	St. Bartholomew's Fair discontinued by order of the Lord Mayor.	—			
Sydenham - - -	Trinity Monday (toys) - - -	—			
Thorp - - -	May 29 - - -	—			
Walton - - -	Wednesday in Easter week.	—			
Wanbro' - - -	September 4 - - -	—			
Wandsworth - - -	Monday, Tuesday, and Wednesday, in Whit week.	—			
Woking - - -	Whit Tuesday (toys) - - -	Tu.			
SUSSEX:			SUSSEX:		
Adversean - - -	September 12 - - -	—	Arundel - - -	May 14 - - - September 25.	Alternate M.
Alfriston - - -	May 12 - - - November 30.	—			
Angmering - - -	July 30 - - -	—			
Ardingley - - -	May 30 - - -	—			
Arundel - - -	May 14 - - - August 21. September 25. December 17.	W. & S.			
Ashington - - -	June 29 - - - July 21 (Statute).	—			
Ashurst - - -	October 16 - - -	—			
Balcomb - - -	June 4 - - -	—	Balcombe - - -	April 13 - - -	—
			Bat and Ball - - -	July 23 - - -	—

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
Sussex—cont. Battle - -	Whit Monday - Monday before Old Michaelmas. November 22. 2nd Tu. in every month.	Th.	Sussex—cont. Battle - -	September 6 - November 22.	—
Beckeley - -	Easter Thursday - December 26.	—			
Beeding - -	July 21 - - -	—			
Billingshurst - -	Whit Monday - November 8.	—			
Bines Green - -	June 12 - - -	—			
Blackboys - -	October 6 - - -	—			
Bodjam - - -	June 6 - - -	—	Bodiam - - -	June 6 - - -	—
			Bognor - - -	July 5 - - -	—
Bolney - - -	May 17 - - - December 11.	—			
Boreham Street -	September 21 - -	—			
Brede - - -	Easter Tuesday - -	—			
Brighthelmstone -	Holy Thursday - September 4.	Th.			
Broadwater - -	June 22 - - - October 30.	—			
Burwash - - -	May 12 - - - September 4.	—	Burwash - - -	May 12 - - - October 4.	—
Buxted - - -	July 31 - - -	—			
Catstreet - - -	April 14 - - - June 27.	—			
Charley - - -	June 29 - - -	—			
Chelwood - - -	July 25 - - -	—			
Chichester - - -	May 4 - - - Whit Monday. August 5. October 10. October 20. 2nd Wed. in every month.	W. & S.	Chichester - -	October 20 - - -	W.
Clayton - - -	July 5 - - - September 26.	—			
Crawley - - -	May 8 - - - September 9.	—	Crawley - - -	May 8 - - - September 9.	—
Cross-in-Hand - -	June 22 - - - November 19.	—	Cross-in-Hand -	November 10 - - -	—
Crowborough - -	April 25 - - -	—	Crowborough -	April 25 - - -	—
Cuckfield - - -	May 25 - - - Whit Thursday. September 16. November 29.	F.			
Dane-hill - - -	Ascension Day - -	—			
Dieker - - -	Ascension Day - -	—			
Ditching - - -	April 5 - - - October 12.	—			
East-bourn - - -	October 10 - - -	S.	Eastbourne - -	October 11 - - -	—
East-Dean - - -	October 28 - - -	—			
East-Grinstead -	July 13 - - - December 11.	Th.	East Grinstead -	April 21 - - - December 11.	Th.
			East Hoathly -	April 8 - - -	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
Sussex—cont.			Sussex—cont.		
Egdean - -	May 1 - - - September 4.	—			
Ewhurst - -	May 21 - - - August 5.	—			
Fenden - -	Holy Thursday - -	—	Findon - -	July 12 - - - September 14.	—
Fletching - -	Mon. before Whit Sunday	—			
Forrest-row -	June 25 - - - November 8.	—	Forest Row - -	November 8 - - -	—
Franfield - -	June 24 - - -	—			
Garner-Street -	August 5 - - -	—			
Green - - -	August 12 - - - Monday before Old Mid- summer, July 5.	—			
Guestling - -	May 23 - - -	—			
Hafield - - -	April 14 - - - June 27.	—			
Haylsham - -	April 5 - - - June 3.	S.	Hailsham - - -	August 12 - - -	—
Hartfield - -	Th. after Whit week -	—			
Hastings - - -	Whit Tuesday - - - July 26. November 23.	W. & S.			
			Hayward's Heath -	November 18 - - -	Tu.
			Heathfield - - -	April 14 - - -	—
Henfield - -	May 4 - - - July 5. August 1.	—			
Holdly - - -	May 9 - - -	—			
Hollington - -	2nd Monday in July -	—			
Hoo - - -	May 1 - - -	—	Hoo - - -	May 1 - - -	—
Horley - - -	November 7 - - -	—			
Horsebridge -	May 9 - - - September 26.	—	Horsebridge - -	May 9 - - - September 29.	—
Horsebridge-common	September 11 - - -	—			
Horsham - - -	Mon. before Whit Sunday July 18. November 27. Last Tu. in every month.	S.	Horsham - - -	April 5 - - - July 18. November 17 and 27.	Alternate W.
Horstead-kayne -	May 27 - - - September 12.	—			
Hurst-green - -	June 8 - - -	—			
Hurstpierpoint -	May 1 - - - August 10.	—			
Iventon - - -	Easter Tuesday - - - May 29.	—			
Lamberhurst - -	April 5 - - - May 21.	—	Lamberhurst - -	1st Tuesday in April -	—
Lewes - - -	May 6 - - - Whit Tuesday. "Wool Fair" July 26. October 2.	S.	Lewes - - -	May 6 - - - September 21 and 28.	—
St. Leonard's Forest	November 17 - - -	—			
Linfield - - -	May 12 - - - August 5. October 28.	—	Lindfield - - -	April 1 - - - August 5.	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
Sussex—cont.			Sussex—cont.		
Longbridge - -	July 20 - - -	—	Loxwood - - -	May 2 - - -	—
Maresfield - -	September 4 - - -	—	Maresfield - - -	September 4 - - -	S.
Mayfield - - -	April 5 - - - Whit Tuesday. May 30. October 29. November 13.	—	Mayfield - - -	May 30 - - - November 13.	—
Midhurst - - -	Thursday, April 5 - - - October 30. Whit Tuesday, and every Thursday fortnight after- wards.	Th.	Midhurst - - -	April 6 - - - May 19. October 29.	—
Newick - - -	June 21 - - -	—			
Newhaven - - -	October 10 - - -	—			
Northiam - - -	September 17 - - -	—	Northiam - - -	3rd Thursday in April - - -	—
Nutley - - -	May 4 - - -	—			
Old Tye Common -	May 9 - - -	—			
Peasemmarsh - -	Th. after Whit week July 18.	—			
Pembury - - -	Whit Tuesday - - -	—			
Pett - - -	May 27 - - - July 18.	—			
Petworth - - -	Holy Thursday - - - November 20.	W.	Petworth - - -	May 1 - - - September 4. November 20.	—
Pevensey - - -	July 5 - - -	—			
Playden - - -	September 4 - - -	—			
Pulborough - - -	Easter Tuesday - - -	—			
Racham - - -	May 20 - - - October 13.	—			
Rogate - - -	September 27 - - -	—			
Rotherbridge - -	September 25 - - -	—	Robertsbridge - -	September 25 and 26	—
Rotherfield - - -	June 18 - - - October 20.	—	Rotherfield - - -	June 18 - - - October 20.	—
Rudgwick - - -	Trinity Monday - - -	—			
Rushlake Green, near Tunbridge Wells.	April 22 - - - October 10.	—			
Rye - - -	Whit Monday - - - August 10.	W. & S.			
Seaford - - -	March 13 - - - July 25.	S.			
Shoreham - - -	July 25 - - -	S.			
Sidley - - -	1st Monday after June 29	—			
Silmiston - - -	September 19 - - -	—			
Slaugham - - -	Easter Tuesday - - -	—			
Slinford - - -	Easter Tuesday - - -	—			
South-bourne - -	March 12 - - -	—			
South-harting - -	1st Wednesday in June - October 28.	—			
Southwater - - -	July 8 - - -	—			
Southwick - - -	May 19 - - -	—	St. John's Common	July 5 - - -	—

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
SUSSEX—cont.			SUSSEX—cont.		
Steyning - -	June 9 - - - September 19. October 10.	W.	Steyning - -	October 11 - - -	—
Storrington - -	May 12 - - - November 11. 3rd Wed. in every month.	W.	Storrington - -	May 13 - - - November 11.	—
Tarring - -	April 5 - - - May 29. October 2.	—			
Thakeham - -	May 29 - - -	—			
Ticehurst - -	May 4 - - -	—	Ticehurst - -	May 4 - - - October 7.	—
Turner's hill - -	Easter Tuesday October 16.	—			
Uckfield - -	May 14 - - - August 29.	—	Uckfield - -	May 14 - - - August 29.	—
Wadhurst - -	April 29 - - - November 1.	—	Wadhurst - -	April 29 - - - November 1.	June 31 and alternate M.
Warnham - -	Whit Tuesday - - -	—			
Wellington - -	Whit Monday - - -	—			
Westfield - -	May 18 - - -	—	Westfield - -	3rd Tuesday in April - -	—
West-ham - -	May 15 - - - September 15.	—			
West-heathley - -	Whit Monday - - -	—			
Wevilsfield - -	July 29 - - -	—			
White-smith - -	May 21 - - - July 3.	—			
Wilmington - -	September 17 - - -	—			
Winchelsea - -	May 14 - - -	S.			
Withyam - -	October 10 - - -	—	Wisborough - -	July 16 - - - September 20.	—
Wood's Corner - -	May 24 - - -	—			
Worley-common - -	2nd Wed. in May (toys) -	—			
WARWICKSHIRE:			WARWICKSHIRE:		
Atherstone - -	April 7 - - - July 18 (pleasure). September 19. December 4.	Tu.	Atherstone - -	1st Tuesday after Sep- tember 19 (statute). December 4.	Tu.
Aulcester - -	Tuesday before Mar. 25 - May 18. October 17.	Tu.			
Birmingham	Thursday in Whitsun week September 29.	Th.	Bedworth - -	Whit Wednesday - - -	Tu. & S.
Brailes - -	Easter Tuesday - - -	—	Birmingham - -	Whit Thursday - - - Th. nearest Sept. 29.	—
Coleshill - -	Shrove Monday - - - May 6. W. after New Michaelmas	W.	Brailes - -	Easter Thursday - - -	S.
Coventry - -	2nd Fri. after Ash Wed. May 2. Friday* in Trinity week, for eight days. August 26 and 27. November 1.	F.	Coleshill - -	Monday before Shrove Tuesday.	W.
			Coventry - -	May 2 - - - Whit Monday. November 1.	F.

* "First day representing Lady Godiva."

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
WARWICKSHIRE—cont.			WARWICKSHIRE—cont.		
			Dunchurch - -	3rd Monday in January, March, and May. April 19. Monday before June 20. July 18. August 16. September 15. October 18. November 16. December 20. November 15 and 16.	—
			Hampton-in-Arden	June 14 - - - July 19. September 6. October 20.	1st M. monthly.
Henley in Arden -	Lady Day - - - March 25. Tuesday in Whitsun week. October 29.	M.	Henley-in-Arden -	October 11 and 29 -	—
Kenilworth - -	April 30 - - - September 30.	—	Hockley Heath -	October 18 (hiring) -	—
Kineton - - -	St. Paul - - - January 25. St. Luke. October 18.	Tu.	Kenilworth - -	April 29 - - - Last Tuesday in Sept.	—
Nuncaton - -	February 18 - - - May 14. October 31.	—	Kineton - - -	February 5 - - - October 2.	—
Rugby - - -	February 17 - - - March 31. May 15. July 7. August 21. November 22. Monday before St. Michael, September 29. December 10.	S.	Nuneaton -	May 14 - - -	Tu. & S.
			Rugby - - -	Last Monday in January February 17. Last Monday in March and April. May 15. Last Monday in June and July. August 21. Monday before Sept. 29 and Oct. 27. Whole week beginning Monday before Nov. 19. 2nd Monday in Dec. 1st Monday after Christ- mas. Tuesday before Easter. Last Wednesday in Sept.	S.
Solyhull - - -	May 10 - - - October 10. April 29. October 12.	—			
Southam - - -	Easter Monday - - - Mon. after Holy Thursday. July 10.	M.	Southam - - -	Two Mondays following October 11 (hiring).	Monthly, M.
Stratford upon Avon	Thursday after March 25. May 14. September 25. Thursday after Sept. 25.	—	Stratford-on-Avon -	October 12 and Friday week following.	F.
Sutton - - -	Trinity Monday - - - November 8.	M.	Studley - - -	September 28 - - -	—
Warwick -	Monday before April 5 - 1st Saturday in Lent. May 12. July 5. 2nd Monday in August. September 4. October 12 (statute). November 8. Mon. before St. Thomas, Dec. 21.	S.	Warwick - - -	October 12 and Saturday after.	S.

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
WESTMORELAND:			WESTMORELAND:		
Ambleside - -	Wed. after Whit Sunday. October 29.	W.	Ambleside - -	Whit Wednesday - - October 13 and 29.	—
Appleby - -	Whit Eve. Whit Monday. June 10. August 10.	S.	Appleby - -	Whit Eve - - - 2nd Wednesday in June. August 21.	—
Brough - -	Th. before Whit Sunday.	W.	Brough - -	2nd Thursday in January, February, March, and April. Thursday before Whit Sunday. September 30. October 1.	—
Brough Hill - -	September 30.	—	Brough Hill - -	September 30 - - October 1.	—
Kendal - -	April 25 and 26. November 8.	S.	Burton-in-Kendal - -	Easter Monday - -	—
Kirkby-Lonsdale - -	Holy Thursday - - St. Thomas, Dec. 21.	Th.	Grasmere - -	1st Tuesday in Sept. - -	—
Kirkby-Stephen - -	Easter Monday - - Tues. after Whit Sunday. St. Luke (O.S.), Oct. 29.	M.	Kendal - -	February 22 - - - March 22. April 29. November 8 and 9.	S.
Milthorpe - -	May 12 - - -	—	Kirkby Lonsdale	April 5 - - - October 5. Holy Thursday and three weeks after. St. Thomas' Day. Alternate Wed. during summer.	Th.
Orton - -	May 2 - - - Fri. before Whit Sunday.	F.	Kirkby Stephen - -	1st Mon. before Mar. 20 - April 25. June 24. September 29. October 27.	M.
Shapp - -	May 4 - - -	—	Low Borough Bridge	2nd Wednesday in Sept. -	—
			Milnthorpe - -	May 12 - - - October 17.	—
			Orton - -	May 3 - - - 2nd Friday after Whit Monday. 1st Wednesday in Sept. 2nd Friday after Old Michaelmas Day.	—
			Shap - -	Wednesday before last Thursday in January. 3rd Monday in March. May 4. September 23.	M.
			Staveley - -	October 7 - - -	—
WILTSHIRE:			WILTSHIRE:		
Ambersbury - -	May 17 - - - June 22. October 6. 1st Wed. after Dec. 13.	F.			
Barwick-hill - -	November 6 - - -	—			
Bradford - -	Trinity Monday - -	M.			
Bradford-Lye - -	Monday fortnight after Lansdown Fair, Aug. 10 (pleasure).	—	Bradford Leigh - -	1st Monday after Aug. 24	—
Britford - -	August 12 - - -	—	Bradford-on-Avon - -	Trinity Monday - -	—
			Britford - -	August 12 - - -	—

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
WILTSHIRE—cont.			WILTSHIRE—cont.		
Calne -	May 6 - - - July 22.	Tu.			
Castle-Combe -	May 4 - - -	—	Castle Combe -	May 4 - - -	—
Chilmark -	July 30 - - -	—			
Chippenham -	May 17 - - - June 22. October 29. December 11.	Th.	Chippenham -	May 17 - - - June 22. October 29. December 11.	—
Clack -	April 5 - - - October 11.	—			
Collingburn-duces -	December 11 - - -	—			
Corsham -	May 7 - - - September 4.	—	Corsham -	March 7 - - -	—
Corale-heath -	1st Monday in August -	—			
Cricklade -	2nd Thursday in April - September 21.	S.	Cricklade -	September 21 - - - 3rd Tuesday in March and September.	Monthly, 3rd Tu.
Devizes -	February 18 - - - Holy Thursday. April 30. June 18. July 5. October 2. October 20.	Th.	Devizes -	February 14 - - - April 20. October 20.	Th.
Dilton-marsh -	Easter Monday - - - September 13.	—			
Downton -	April 23 - - - October 13.	—	Downton -	April 23 - - - October 2.	—
Great Bedwin -	April 23 - - - July 15.	Tu.	Great Bedwin -	July 26 - - -	—
Heytesbury -	May 14 - - - September 25 (toys).	—	Heytesbury -	May 14 - - -	—
Highworth -	August 12 - - - October 10 and 29.	W.	Highworth -	August 13 - - - October 11.	2nd W.
Hindon -	Mon. before Whit Sunday October 29.	Th.	Hindon -	May 27 - - - October 29.	—
			Kingsdown Box -	Wednesday before St. Matthew's Day.	—
Laycock -	July 7 - - - December 21.	—			
Luggershall -	August 5 - - -	—	Ludgershall -	July 25 - - -	—
Maiden Bradley -	April 25 - - - June 6. September 21.	—			
Malmsbury -	March 28 - - - April 28. June 29.	S.			
Marlborough -	July 10 - - - November 22.	S.	Marlborough -	August 22 - - - Saturday before and Saturday after Oct. 11. November 23.	—
Melksham -	July 27 - - - 2nd Monday in every month.	M.	Melksham -	July 27 - - -	Alternate Tu.
Meer -	May 6 - - - September 29.	S.	Mere -	May 17 - - - October 10.	—
Norleaze -	April 23 - - -	—			
North Bradley -	Monday after Holyrood, September 14.	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
WILTSHIRE—cont.			WILTSHIRE—cont.		
Ramsbury - -	May 14 - - - September 25.	—	Ramsbury - -	May 14 - - - October 11.	—
St. Ann's Hill (Devizes).	August 6 - - -	—			
Salisbury - -	Tuesday after January 6 Tuesday after March 25 and next day. Whit Monday. 2nd Tuesday in Sept. 2nd Tuesday after Oct. 10. Tuesday before Christmas Day.	Tu. & S.	Salisbury - -	July 15 - - - October 18.	Tu. & S.
Sherstone - -	May 12 - - - October 2.	—			
Swindon - -	Monday before April 5 - 2nd Monday after May 12. 2nd Monday after Sept. 11. 2nd Monday in October.	M.	Swindon - -	Monday before April 5 - 2nd Mon. after Sept. 11.	M.
Trowbridge - -	August 5, 6, and 7 -	S.	Tan Hill - -	August 6 - - -	—
Uphaven - -	October 29 - - -	—	Trowbridge - -	August 5, 6, and 7 -	Alternate Tu.
Warminster - -	April 22 - - - August 10. October 28.	S.	Warminster - -	April 22 - - - August 11. October 26.	S.
Westbury - -	1st Friday in Lent Whit Monday.	F.	Westbury - -	1st Tuesday in September September 24 (Ditton's Marsh).	—
Whitebury - -	November 6 - - -	—			
Wilton - -	May 4 - - - September 12. November 18.	W.	Wilton - -	May 4 - - - September 12.	—
Wotton-Basset -	May 4 - - - November 13. December 19.	Th.	Wootton-Bassett -	1st Tuesday before Apr. 6 October 11.	Monthly, W.
Yarboro-Castle -	October 5 - - -	—	Yarborough Castle -	October 4 - - -	—
WORCESTERSHIRE:			WORCESTERSHIRE:		
Alvechurch - -	May 3 - - - August 10.	—	Alvechurch - -	May 5 - - -	—
Bellbroughton -	1st Monday in April - Monday before St. Luke, October 18.	—			
Bewdly - -	April 23 - - - Monday before July 26. December 10. December 11.	S.			
Blockley - -	Tuesday after Easter week. October 10 (hiring).	—			
Bromsgrove - -	June 24 - - - October 1.	Tu.	Bromsgrove - -	June 24 - - -	Tu.
Droitwich - -	Friday in Easter week - September 22. December 21. September 23 (hiring).	F.			
Dudley - -	May 8 - - - August 5. October 2.	S.	Dudley - -	1st Monday in March, May, and October. 2nd Monday in August.	Tu.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
WORCESTERSHIRE— cont.			WORCESTERSHIRE— cont.		
Eversham - -	Candlemas Day - - February 2. Monday after Easter week. Whit Monday. September 21.	M.	Evesham - -	Monday after Easter week Whit Monday. 1st Monday in July. 2nd Monday in December.	—
Feckenham - -	March 26 - - September 30.	—			
Kidderminster - -	Palm Monday - - Holy Thursday. June 20. September 4.	Th.	Kidderminster - -	June 17, 18, and 19 -	—
King's Norton - -	April 25 - - September 5.	—			
Pershore - -	Easter Tuesday - - June 26. Tuesday before All Saints. November 1.	T.	Pershore - -	Easter Tuesday - June 26.	S.
Reddich - -	1st Monday in August -	—	Redditch - -	1st Monday in August - 3rd Monday in Sept.	—
Shipston - -	3rd Tuesday in April -	—	Shipston - -	3rd Tuesday in April - June 22 (cattle, &c.). 1st Tuesday after Oct. 10.	S.
Shipton - -	June 22 - - Tuesday after October 10.	F.			
Stouroridge - -	March 29 - - September 8.	F.	Stourbridge - -	Last Monday in March -	F.
Stourport - -	Easter Monday - - September 18. Every Thursday.	Th.			
Tenbury - -	April 28 - - July 18. September 26.	Th.	Tenbury - -	April 22 - -	Tu.
Upton - -	1st Thursday after Mid-Lent. Thursday in Whit week. July 10. Th. before St. Matthew. September 21.	Tu.	Upton-on-Severn -	Thursday after Mid-Lent Whit Thursday. July 10. Thursday before Oct. 2.	—
Worcester - -	Sat. before Palm Sunday - Saturday in Easter week. August 15. September 19. 1st Monday in December.	W., F., & S.	Worcester - -	September 19 - -	M.
YORKSHIRE:			YORKSHIRE:		
Aberforth - -	Last Monday in April - Last Monday in May. Monday after October 18. Last Monday in October.	M.			
Adwalton - -	February 6 - - March 9, and a fortnightly Thursday market fair. Easter to Michaelmas -	Th.	Addingham - -	March 22 - - October 3.	—
Aldborough - -	September 4 - -	—	Adwalton - -	February 6 - - March 9. Thursday after Easter. Whit Thursday. November 5. December 23.	—
Appletreewick -	October 2 - -	—	Appletreewick -	October 27 - -	—

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
YORKSHIRE—cont.			YORKSHIRE—cont.		
Askrigg -	May 10 - - - May 12. 1st Thursday in June. October 28. October 29.	—	Askrigg -	May 12 - - - 1st Thursday in June. July 1. October 28.	Th.
Astwick -	Thursday before Whit Sunday.	—	Barnoldswick -	4th Tuesday in April 2nd Tuesday in Sept.	—
Barns-Burton -	May 14 - - -	—	Barnsley -	Last Wednesday in Feb. May 13. October 11.	W. & S.
Barnsley -	Wednesday before Feb. 28. May 12. October 10.	W.	Bawtry -	Whit Thursday - November 28.	—
Bawtry -	Whit Thursday - Old Martinmas, Nov. 22.	—	Benham -	Saturday before Easter - June 22. October 25.	—
Bedal -	Easter Tuesday - Whit Tuesday. July 5 and 6. October 10 and 11. Tuesday se'nnight before Christmas day.	Tu.	Bentham -	February 5 (cattle) Easter Eve. June 22 and 23. October 25.	W.
Bentham -	June 24 - - -	—	Beverley -	February 21 to 24 Holy Thursday. May 16 to 19. July 1 to 5. November 2 to 5.	—
Beverley -	Thursday before Valentine, February 25. Holy Thursday. July 5. November 5.	W. & S.	Bingley -	1st Tuesday in April 2nd Tuesday in October.	—
Bingley -	January 25 - - - August 25, 26, and 27.	—	Bolton-by-Bowland -	June 28 and 29 - -	—
Black-Burton -	Whit Monday - -	—	Boroughbridge -	April 27 and 28 - Week before June 21 and 22. October 23 and 24.	—
Bolton -	June 28 - - -	—	Bradford -	March 3 - - - June 17. December 9.	M., Th., & S.
Burroughbridge -	April 27 - - - June 22. October 23.	S.	Bridlington -	Mon. before Whit Sunday October 21.	S., also W. during season.
Bradfield -	June 17 - - - December 9.	—	Brighouse -	2nd Thursday in August 1st Monday after Oct. 12.	—
Bradford -	March 3 and 4 - - June 17, 18, and 19. December 9, 10, and 11.	Th.	Backden -	September 18 - - October 12.	—
Bridlington -	Monday before Whitsun - October 21.	—	Cawood -	May 12 - - -	—
Brumpton -	November 12 - -	—	Clapham -	St. Matthew, Sept. 21 -	—
Cawood -	May 12 - - -	—	Coxwold -	August 25 - - -	—
Clapham -	St. Matthew, Sept. 21 -	—	Cross Hills -	September 24 - -	—
Coxwold -	August 25 - - -	—			

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
YORKSHIRE—cont. Dewsbury -	Wednesday before May 13 Wednesday before Oct. 10.	—	YORKSHIRE—cont. Dewsbury -	Wednesday on or before May 13. Friday before 1st Monday in August. October 11.	W. & S.
Doncaster -	April 5 - - - August 5. November 26. Monday before Old Candlemas Day, Feb. 13.	S.	Doncaster -	1st Thursday in February, April, August, and November.	Tu. & S.
Easingwold -	July 5 - - -	—	East Witton -	May 8 - - - November 30.	—
Egton -	Tuesday before Feb. 15 - Tuesday before May 11. September 4. Tuesday before Nov. 22.	—	Egton -	2nd Tuesday in January - Tuesday before Feb. 14. Tu. before Palm Sunday. 2nd Tuesday in April. Tuesday before May 13. Markets are held 9 Tuesdays after May 13, Tuesday before August 13, September 4, Tuesday before October 11, Tuesday before November 23, and 2nd Tuesday in December.	—
Frodlingham -	October 2.	—	Ford Inn -	Saturday after April 11 - October 5.	—
Gargrave -	December 11 and 29 -	—	Gargrave -	December 11 - - -	—
Guisburn -	Easter Monday - - Monday fortnight after Easter. Monday month after Easter. Saturday after Monday month from Easter. Monday 5 weeks after Easter. September 18 and 19.	—	Giggleswick -	March 12 - - -	—
Grassington -	March 4 - - - April 24. June 29. September 26.	—	Gisburn -	Alternate Mondays -	—
Grinton -	Good Friday - - - St. Thomas's, Dec. 21.	—	Grassington -	April 24 - - -	—
Gisbrough -	3rd Monday and Tuesday after April 11. Tuesday in Whit week. August 26. August 27. September 19 and 20. 1st Monday after Nov. 11.	M.	Guisborough -	Last Tuesday in April 2nd Tuesday in Nov.	Tu.
Halifax -	June 24 - - -	S.	Halifax -	1st Saturday in Nov. -	S.
Harwood -	Last Saturday in April -	—	Hawes -	September 14 (sheep) - September 28. 1st Tuesday after Oct. 12.	Tu.
Hawes -	Whit Tuesday - - - September 28.	—	Haworth -	Easter Monday - - Whit Monday. 1st Monday after July 18. 1st Monday after Oct. 11.	—
Haworth -	July 22 - - - October 14.	—			
Heaton -	February 14 - - - August 2. September 25. November 17.	S., fortnightly.			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
YORKSHIRE—cont.			YORKSHIRE—cont.		
Helmsley-Blackmoor	May 19 - - - July 16. October 2. November 6.	S.	Helmsley - - -	May 19 - - - July 16. October 1. November 5. 1st Friday after (hiring).	F.
Holmfirth - -	October 30 - - -	—	Holmfirth - -	Last Saturday in March - 1st Saturday after May 4. Last Saturday in October.	—
Hornsey - -	August 12 - - - December 17.	S.			
Howden - -	2nd Tuesday in January - Thursday after March 25. Saturday before Holy Thursday. 2nd Tuesday in July. October 2.	S.	Howden - -	2nd Monday in April - April 17. 1st Monday after Don- caster Races. October 2.	S.
Hathersfield - -	May 14 - - -	Tu.	Huddersfield -	March 31 - - - May 14. October 4.	—
Hull - - -	October 10 - - -	Tu. & S.	Hull - - -	2nd Tuesday in April - October 11.	M., Tu., & F.
Hunmanby - -	May 6 - - - October 29 (toys).	—	Hunmanby - -	May 6 - - - October 29.	—
Ingleton - -	November 17 - - -	—	Ingleton - -	November 17 - - -	—
Kettlewell - -	July 6 - - - September 2.	—			
Keighley - -	May 8 - - - November 8.	—	Keighley - -	May 8 - - - November 7.	W. & S.
			Kettlewell - -	July 6 - - - September 2. October 27.	—
Kilham - -	August 21 - - - November 12.	Th.			
Kirby-moor-side -	Whit Wednesday - - - September 18.	W.			
Kirkham - -	Saturday before Trinity Sunday.	—			
Knaresborough -	Wednesday after Jan. 13 Thursday. Wednesday after Nov. 12 and next day. May 6 and 7. August 12. Tuesday and Wednesday after October 10. Wednesday after Nov. 22 (statute). Wed. and Thurs. after December 10.	W.	Knaresborough -	Wednesday after Jan. 13 March 12. May 5. Wednesday after Aug. 12. October 11. December 10.	W.
Lee - - -	August 24 - - - September 17.	—			
Leeds - - -	July 10 - - - Oct. 8 and every Monday fortnight. November 8.	Tu. & S.	Leeds - - -	3rd Wednesday in Jan. - 1st Wednesday in March. 3rd Wednesday in April. 1st Wednesday in June. 3rd Wednesday in July. 1st Wednesday in Sept. 3rd Wednesday in Oct. 1st Wednesday in Dec. July 1 (Saddlers' Fair). November 8.	Tu., W., & S.
Leighton - -	Midsummer Day - - - June 24.	—			
Leyburn - -	2nd Friday in February - 2nd Friday in May. 2nd Friday in October. 2nd Friday in December.	—	Leyburn - -	2nd Friday in February, May, October, and December.	F.

List of 1793.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
YORKSHIRE—cont.			YORKSHIRE—cont.		
Little Driffield	Easter Monday - - Whit Monday. August 26. September 29.	—			
Long Preston	March 1 - - - September 2.	—	Long Preston	March 1 - - - September 4. Friday before 2nd Tuesday in October.	Th. & Sat. M.
			Lothersdale	1st Saturday in October -	—
			Luiton	November 3 - -	—
Malham	June 25 - - - October 4.	—	Malham	June 30 - - - 1st Tuesday in August. October 15.	—
Malton	Sat. before Palm Sunday Day before Whit Sunday. October 10. October 11.	Tu. & S.	Malton	Monday to Saturday before Palm Sunday. Saturday before Whit Sunday. July 12. October 11 and 12. Saturday before Nov. 23.	S.
			Marsden	April 25 - - - July 10. September 25.	—
Mashham	September 17 and 18 -	Tu.	Mashham	Wed. in Easter week - September 17 and 18.	W
			Meltham	Saturday after April 6 - October 11.	—
Middleham-Moor	November 5 - - - November 6.	M.	Middleham	March 30 - - - November 5.	—
			Middlesmoor	September 18 - -	—
Moor-kirk	June 24 - - -	—			
			New Mill	Monday before last Wed- nesday in February. 1st Wednesday in Aug. Wednesday after Nov. 14.	—
Northallerton	February 15 - - - May 4. October 2.	W.	Northallerton	February 14 - - - May 5. September 5. October 3.	—
Northouram	September 21 - -	—			
North Duffield	May 4 - - -	—			
Otley	Wed. in Easter week - Every fortnight till Whit Sunday and then every three weeks. Friday before Nov. 23.	F.	Otley	Monday after 1st Sunday after August 2. 1st Monday in October. Friday before and after November 22. Easter Wednesday and alternate Wednesdays to Whit Wednesday.	F.
			Pateley Bridge	Easter Saturday - - Saturday after Oct. 11.	—
Patrington	March 28 - - - July 18. September 4.	S.			
Penniston	Thursday before Feb. 28 - Last Thursday in March. Thursday before Old May Day, May 12. Th. after Old Michaelmas Day, October 10.	—	Penistone	Thursday before Feb. 28 and before May 12. Last Thursday in March. Thursday after Oct. 11. November 8.	Th.
Pickering	Mon. before Old Candle- mas Day. Monday before Old Mid- summer Day September 25. Mon. before Old Michael- mas Day.	M.			

LIST OF 1792.			LIST OF 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
YORKSHIRE—cont.			YORKSHIRE—cont.		
Pocklington -	February 24 - - - May 6. July 24. November 8. December 7 and 18. 7 days before St. Matthias, February 24. 7 days before Christmas Day.	S.	Pocklington	March 7 - - - May 6. August 15. November 8.	S.
Pontefract - -	St. Andrew Fair, 1st Saturday in December. 20 days' fair, 1st Sat. after 20th day from Christmas. Candlemas Fair, 1st Sat. after February 13. St. Giles' Fair, 1st Sat. after September 12. April 8. May 4. Sat. before Palm Sunday. Sat. before Low Sunday. Sat. before May 4. Sat. before Trinity Sunday.	S., fortnightly.	Pontefract - -	Saturday before Palm Sunday. 1st Sat. after Nov. 30.	S.
Beeth - - -	Fri. before Palm Sunday Friday se'nnight before Old May Day, May 12. Fri. before St. Bartholo- mew, August 24. Fri. se'nnight before Old Martinmas, Nov. 22.	—			
Richmond - -	Saturday after New Candlemas. Saturday before Palm Sunday. 1st Saturday in July. September 25.	S.	Richmond - -	November 2 and 3.	—
Ripley - - -	Easter Monday - - - Easter Tuesday. August 25, 26, and 27.	M.	Ripley - - -	Easter Monday - - - August 25 and 26.	—
Rippon - - -	Thursday after Jan. 18 - May 12 and 13. 1st Thursday in June. 1st Thursday after Aug. 22. November 22.	Th.	Ripon - - -	May 14 to June 4 - - 1st Thursday in Nov. November 23.	Th.
			Romald Kirk -	1st Thursday in April and October.	—
Rotherham -	Whit Monday - - - December 1. Every Monday.	M.	Rotherham - -	Whit Monday - - - 1st Monday in November.	—
Scarborough -	Holy Thursday - - - November 22.	Th. & S.			
Seamore - - -	July 15 - - -	—	Seamer - - -	July 16 - - -	—
Sedbergh - -	March 10 - - - October 29.	—	Sedbergh - -	February 26 - - - March 20. April 28. Th. after Whit Sunday. October 29.	W.
Selby - - -	Easter Tuesday - - - June 22. October 10.	M.	Selby - - -	Easter Tuesday - - - Last Monday in June. October 8.	M.
Settle - - -	Tuesday before Palm Sunday. Thursday before Good Friday and every other Friday till Whit Sunday. April 26. June 2, and every Mon- day fortnight. August 18 to 21. 1st Tuesday after Oct. 27.	F.	Settle - - -	April 26 - - - August 19. Tuesday after Oct. 27.	Tu.
Sheffield - -	Tuesday after Trinity Sunday. November 28.	Tu.	Sheffield - -	Whit Tuesday and Wednesday. Tuesday and Wednesday after Christmas Day.	Tu., Th., & S.

List of 1792.			List of 1888.		
Place.	Fair Days.	Market Day.	Place.	Fair Days.	Market Day.
YORRE— Sherburne - -	October 6 - - -	F.	YORKSHIRE—cont.		
Skipton - - -	March 23 - - - Palm Sunday Eve. Easter Eve. 1st and 3rd Tuesday after Easter. Whitsun Eve. August 5. November 20. November 22.	S.	Silsden - - -	1st Tuesday after Apr. 23 1st Tuesday after Sept. 16.	—
Slaidburn - - -	February 14 - - - April 15. August 1. October 20.	—	Skipton - - -	August 28 - - -	M.
Snaith - - -	1st Friday in April - August 10. 1st Friday in September.	Th.	Slaidburn - - -	Wednesday before Easter November 4.	—
South Cave - - -	Trinity Monday - - -	—	Snaith - - -	Last Thursday in April - August 10.	Tu.
Stamford Bridge - - -	November 9 - - -	—	Stamford Bridge - - -	December 1 - - -	—
Stokesley - - -	Saturday before Trinity Sunday.	S.	Thirsk - - -	Shrove Monday - - - April 4. Last Monday in May. August 4. October 28. 1st Tuesday after Dec. 11.	M.
Tadcaster - - -	Last Wednesdays in April, May, and October.	W.	Thorne - - -	Monday, Tuesday, and Wed. after June 11. Monday, Tuesday, and Wed. after Oct. 11.	—
Thirsk - - -	Shrove Monday - - - April 4, 5, and 6. August 3, 4, and 5. October 28 and 29. December 14.	M.	Tollerton - - -	August 15 - - -	—
Thorne - - -	1st Monday, Tuesday, and Wednesday, after June 11, and also said days after October 11.	W.	Topcliffe - - -	July 17 (sheep) - - - July 18.	—
Tollerton - - -	August 26 - - -	—	Wakefield - - -	July 4 and 5 - - - November 11 and 12.	W., F., & S.
Topcliff - - -	July 17 and 18 - - -	Th. & F.	Whitby - - -	1st Saturday after Nov. 5 and 23.	S.
Wakefield - - -	July 4 and 5 - - - November 11 and 12.	W.	Wibsey - - -	October 5 - - - November 25.	—
Weigh-ton - - -	May 14 - - - September 25.	W.	Yarm - - -	October 18, 19, and 20 -	—
Wetherby - - -	Holy Thursday - - - August 5. October 10. Thursday before Nov. 22 (statute).	Th.	York - - -	Thursday before Candle- mas Day. Thursday before Palm Sunday. Whit Monday. July 10. August 12. November 14 and 23. (Horse Show) week before Christmas.	W. & S.
Whitgift - - -	July 22 - - -	—			
Yarum - - -	Thursday before April 5 - Holy Thursday. August 2. October 20.	Th.			
York - - -	Thursday before Palm Sunday. Whit Monday. July 10. August 12. November 22. (Horse Show) week before Christmas.	Th. & S.			

XXII.

A LIST of ACTS of PARLIAMENT passed for the REGULATION of MARKETS and FAIRS.

A.--PUBLIC GENERAL ACTS.

1. ENGLAND AND WALES.

Year, Statute, and Chapter.	Subject-Matter.	Repeal.
3 Edw. I., <i>Stat. Westm. prim.</i> c. 31.	Outrageous Market Tolls. Murage - - - -	Repealed as to Murage by 45 & 46 Vict. c. 50. s. 5.
13 Edw. I., <i>Stat. Wynton.</i>	Fairs and Markets not to be held in Churchyards.	
27 Edw. I., <i>Ordinatio de libertatibus perquisitis.</i>	Writ of Inquiry.	
2 Edw. III. c. 15. -	Proclamation and Duration of Fairs.	
5 Edw. III. c. 5. -	The like.	
27 Hen. VI. c. 5. -	Fairs and Markets not to be held on Sundays and Festivals, except four Sundays in harvest.	Exception repealed, 13 & 14 Vict. c. 23.
17 Edw. IV. c. 2. -	Court of Pie Powder.	
1 Ric. III. c. 6. -	The like.	
25 Hen. VIII. c. 1. -	Sale of Meat - - - - -	Repealed 33 Hen. VIII. c. 11.
3 & 4 Edw. VI. c. 19.	Sale of Cattle in Smithfield Market and elsewhere - - -	Repealed 7 & 8 Vict. c. 24. s. 2.
5 & 6 Edw. VI. c. 14.	Offence of Forestalling - - - - -	Repealed 12 Geo. III. c. 71. s. 1.
1 & 2 Ph. & Mary, c. 7.	Prohibiting Retail Sales by Country People except in Fairs -	Repealed 19 & 20 Vict. c. 64.
2 & 3 Ph. & Mary, c. 7.	Regulating Sale of Horses in Markets and Fairs.	
4 & 5 Ph. & Mary, c. 7.	Blackwall Hall Cloth Market. Searches - - - -	Repealed in part by 49 Geo. III. c. 109. and 55 Geo. III. c. xciii.
31 Eliz. c. 12. -	Regulating Sale of Horses in Markets and Fairs - - -	Repealed in part as to penalties, 7 & 8 Geo. IV. c. 27.
39 Eliz. c. 20. -	Cloth to be searched in Blackwall Hall - - - -	Repealed in part by 49 Geo. III. c. 109. and 55 Geo. III. c. xciii.
1 Jas. I. c. 25. -	Sale of Cattle in Smithfield and elsewhere - - -	Repealed by Statute Law Revision Act, 1863.
16 Car. I. c. 19. -	Office of Clerk of the Market - - - - -	Do.
15 Car. II. c. 8. -	Sale of Cattle - - - - -	Repealed by 12 Geo. III. c. 71.
22 Car. II. c. 8. -	Tolls - - - - -	Repealed by Statute Law Revision Act, 1863.
22 & 23 Car. II. c. 19.	Sale of Cattle in Smithfield and elsewhere - - -	Do.
25 Car. II. c. 4. -	The like - - - - -	Do.
1 Jas. II. c. 17. -	The like - - - - -	Do.
4 & 5 Will. & Mary, c. 24.	The like - - - - -	Do.
8 & 9 Will. III. c. 9. -	Regulations as to Blackwall Hall Cloth Market - - -	Repealed by Statute Law Revision Act, 1867.
10 Will. III. c. 13. -	Erection of Free Fish Market at Billingsgate - - -	Repealed by 31 & 32 Vict. c. 45. s. 71.
11 Will. III. c. 13. -	Sale of Cattle in Smithfield and elsewhere - - -	Repealed by Statute Law Revision Act, 1867.
6 Ann. c. 34. -	The like - - - - -	Do.
7 Ann. c. 6. -	The like - - - - -	Do.
9 Ann. c. 26. -	Re-sale of Fish at Billingsgate forbidden (s. 3) - - -	Repealed by 31 & 32 Vict. c. 45.
1 Geo. I. st. 2. c. 15. -	Cloth trade. Blackwall Hall - - - - -	Repealed in part by 49 Geo. III. c. 109. and 55 Geo. III. c. xciii.
22 Geo. II. c. 49. -	Erection of Free Fish Market at Westminster, and general provisions as to Sale of Fish.	Repealed by Statute Law Revision Act, 1867.
24 Geo. II. c. 23. -	Alteration of days. New style.	
25 Geo. II. c. 30. -	The like.	
29 Geo. II. c. 39. -	Explaining and amending 22 Geo. II. c. 49 - - - -	Do.
33 Geo. II. c. 27. -	Regulating Sale of Fish at Billingsgate and Westminster Markets -	Repealed by 31 & 32 Vict. c. 45.
2 Geo. III. c. 15. -	Sale of Fish in Billingsgate to be public and at first hand -	Repealed by 36 Geo. III. c. 118.
12 Geo. III. c. 71. -	Sale of Cattle in Smithfield and elsewhere - - -	Repealed by Statute Law Revision Act, 1871.
21 Geo. III. c. 67. -	Cattle trade in London - - - - -	Do.
35 Geo. III. c. 113. -	Sale of Intoxicating Liquors at Fairs - - - -	Repealed in part by Statute Law Revision Act, 1871.
36 Geo. III. c. 118. -	Sale of Fish at Billingsgate by retail - - - -	Repealed by 31 & 32 Vict. c. 45. s. 71.
38 Geo. III. c. 5. -	Land Tax payable on Booths at Fairs (s. 125-6).	
41 Geo. III. c. 99. -	Treasury may grant Bounties for supply of Fish at Markets of London, Westminster, or any other Town.	Repealed by 31 & 32 Vict. c. 45.
6 Geo. IV. c. 81. -	Sale of Intoxicating Liquors at Fairs (s. 11).	
9 Geo. IV. c. 61. -	The like (s. 36) - - - - -	Repealed in part by Statute Law Revision Act, 1873.
11 Geo. IV. & 1 Will. IV. c. 14.	Metropolitan Markets.	
11 Geo. IV. & 1 Will. IV. c. 64.	Sale of Intoxicating Liquors - - - - -	Repealed in part by Statute Law Revision Acts, 1873, 1874.
2 & 3 Vict. c. 47. -	Metropolitan Markets and Fairs (s. 38) - - - -	Repealed in part by 3 & 4 Vict. c. 84. s. 1.; 27 & 28 Vict. c. 55. s. 75.; Statute Law Revision Acts, 1874 (No. 2) and 1875; and 38 & 39 Vict. c. 28. s. 4.
6 & 7 Vict. c. 68. -	Theatrical Performances at Fairs. (Extends also to Scotland) -	Repealed by Statute Law Revision Act, 1874 (No. 2).
7 & 8 Vict. c. 24. -	Forestalling and other offences - - - - -	Do.
10 & 11 Vict. c. 14. -	"Markets and Fairs Clauses Act, 1847" - - - -	Repealed in part by Statute Law Revision Act, 1875.
15 & 16 Vict. c. 62. -	Abandonment of Crown rights as to Markets and Tolls (s. 6).	
22 & 23 Vict. c. 56. -	Duties of Owners and Clerks of Markets as to weight and measure -	Repealed in part and re-enacted in part by 41 & 42 Vict. c. 49.
23 & 24 Vict. c. 51. -	Local Taxation Returns. Tolls - - - - -	Repealed in part by Statute Law Revision Act, 1875, and 45 & 46 Vict. c. 50.
24 & 25 Vict. c. 91. -	Sale of Intoxicating Liquors at Fairs (s. 13).	
25 & 26 Vict. c. 22. -	The like (s. 12).	
26 & 27 Vict. c. 33. -	The like (s. 21).	

Year, Statute, and Chapter	Subject-Matter.	Repeals.
31 & 32 Vict. c. 106. - 34 & 35 Vict. c. 12. - 34 & 35 Vict. c. 70. - 34 & 35 Vict. c. 96. - 35 & 36 Vict. c. 94. -	Metropolitan Fairs. Regulation and Inquiry as to Title. Abolition of Fairs. Local Taxation Returns, Tolls. Pedlars. Sale of Intoxicating Liquors at Fairs (ss. 72, 77). (Extends to Ireland.)	Repealed in part by Statute Law Revision Act, 1883. Do.
36 & 37 Vict. c. 37. - 37 & 38 Vict. c. 49. - 38 & 39 Vict. c. 55. - 38 & 39 Vict. c. 68. - 41 & 42 Vict. c. 49. -	Alteration of days for holding Fairs - Sale of Intoxicating Liquors at Fairs (s. 18). "Public Health Act, 1875," Provisions as to Markets, s. 166, &c. - "The Sale of Food and Drugs Act, 1875," Inspectors of Markets. "Weights and Measures Act, 1878," Clerks of Markets, &c. (s. 86) -	
41 & 42 Vict. c. 74. - 42 & 43 Vict. c. 30. - 45 & 46 Vict. c. 50. -	"Contagious Diseases, Animals, Act" (ss. 18, 99). Adulteration Inspectors. Transfer of Market Powers to Municipality (ss. 136 and 213) -	
50 & 51 Vict. c. 27. - 51 & 52 Vict. c. 41. -	Weighing of Cattle. Transfer of powers under Contagious Diseases, Animals, Acts, and Sale of Food and Drugs Acts, to County Councils (ss. 3, 28, 112).	Repealed in part by Statute Law Revision Act, 1883. Repealed in part by 48 & 49 Vict. c. 38.

2. SCOTLAND.

[STATUTES specially relating to SCOTLAND passed since the ACT OF UNION, 6 Anne c. 11.]*

Year, Statute, and Chapter.	Subject-Matter.	Repeals.
20 Geo. 2. c. 43 - 9 Geo. 4. c. 58 - 6 & 7 Vict. c. 68. -	Saving of Heritable Jurisdictions in Markets and Fairs in Scotland (ss. 20, 22). Sale of Intoxicating Liquors at Fairs in Scotland (s. 8). Plays at Fairs (s. 23). (Extends to the United Kingdom) -	Repealed by Statute Law Revision Act, 1874, No. 2.
25 & 26 Vict. c. 35. - 41 & 42 Vict. c. 74. -	Sale of Intoxicating Liquors at Fairs in Scotland (s. 6). Application of the Contagious Diseases, Animals, Act, to Scotland (s. 67).	
48 & 49 Vict. c. 61. -	Transfer of powers under Markets and Fairs Clauses Act, 1847, to Secretary for Scotland (s. 5).	

* The Scottish legislation with respect to fairs and markets appears to have commenced with Acts in 1456 and 1493 as to excessive distress and freedom of sales. Markets held on Sundays and holidays, or in churchyards, are dealt with by Acts of 1503, 1579, 1581, 1592-3-4, 1640-1, 1656, and 1661. Marketing on Mondays and Saturdays was prohibited by Acts of 1644, 1663, and 1695. Trading was limited to regular market days in 1567. Forestalling was prohibited by an earlier Act in 1535. Acts passed in 1662 empowered the burghs of Ayr and Dumfries to raise new customs for the purpose of providing covered markets. There were numerous Acts establishing fairs and markets in particular localities.

3. IRELAND.

[STATUTES specially relating to IRELAND passed since the ACT OF UNION, 39 & 40 Geo. 3. c. 67.]*

Year, Statute, and Chapter.	Subject-Matter.	Repeals.
46 Geo. 3. c. 59. - 52 Geo. 3. c. 134. - 53 Geo. 3. c. 46. -	Packing of butter - Butter Trade. Butter Trade -	Repealed 52 Geo. 3. c. 134. Repealed Statute Law Revision Act, 1873.
57 Geo. 3. c. 108. - 7 & 8 Geo. 4. c. 61. - 9 Geo. 4. c. 88. -	Lists of Tolls to be exhibited in Markets and Fairs. Butter Trade. Butter Trade -	Repealed Statute Law Revision Act, 1873.
10 Geo. 4. c. 41. - 5 & 6 Will. 4. c. 27. -	The like. Sale of Linen and Yarn at Fairs and Markets in Ireland (continued by Expiring Laws Continuance Act).	Repealed in part by 3 & 4 Vict. c. 91. and Statute Law Revision Act, 1874.
6 & 7 Will. 4. c. 38. -	Hours of closing booths at Fairs for intoxicating liquors -	Repealed in part by Statute Law Revision Act, 1874.
3 & 4 Vict. c. 108. - 7 & 8 Vict. c. 47. -	Municipal powers in Ireland. Sale of Linen and Yarn at Fairs and Markets in Ireland (continued by Expiring Laws Continuance Act).	Repealed in part by Statute Law Revision Act, 1874, No. 2.
14 & 15 Vict. c. 92. -	Adulteration of Corn, Food, &c. Settlement of disputes by Justices	Repealed in part by Statute Law Revision Act, 1875.
17 & 18 Vict. c. 103. - 25 & 26 Vict. c. 76. -	"Towns Improvement (Ireland) Act, 1854" (s. 47-8). Fraudulent sales of Butter, &c. -	Repealed in part, 41 & 42 Vict. c. 49.
31 & 32 Vict. c. 12. - 35 & 36 Vict. c. 69. -	Alteration of fair days by Lord Lieutenant. The like by Municipalities and Owners with consent of Local Government Board.	
35 & 36 Vict. c. 94. - 37 & 38 Vict. c. 69. - 39 & 40 Vict. c. 78. - 41 & 42 Vict. c. 52. -	Sale of Intoxicating Liquors at Fairs (s. 72). [Extends to England also.] The like (s. 4). Abolition of Market Juries in Ireland (repealing 27 Geo. III. c. 46). Powers of Local Authorities in Ireland to provide or purchase Markets (ss. 103, 104), and Powers of Local Government Board (s. 276).	
41 & 42 Vict. c. 74. -	Application of the Contagious Diseases, Animals, Act, to Ireland (s. 75).	

*Of the Irish Acts passed, prior to this date, in relation to fairs and markets, the following appear to be to some extent in force, and are included in the Revised Edition of the Irish Statutes published under authority in 1885:—2 Anne, c. 15 (Sale of Cattle), 4 Anne, c. 8 (Tolls in Market Towns), 4 Anne, c. 11 (Sale of Horses in Market overt), 4 Anne, c. 14 (Weighmasters in Market Towns), 9 Geo. I. c. 16 (Butter and Tallow Trade), 10 Geo. I. c. 10 (Sale of Cattle and Sheep at Smithfield, in Dublin, &c.), 13 Geo. II. c. 12 (Weighmasters), 17 Geo. II. c. 5 (Slaughtering in Markets forbidden), 23 Geo. II. c. 15 (further as to Sale of Cattle and Sheep), 25 Geo. II. c. 15 (Sale of Corn and Meal, and provision of Beam and Scales in Market Towns), 27 Geo. III. c. 41 (the like), 32 Geo. III. c. 29 (Abuses as to Tolls in Market Towns).

B.—LOCAL ACTS, LOCAL AND PERSONAL ACTS, and PROVISIONAL ORDER ACTS. (Passed since the Year 1800.)

1. ENGLAND AND WALES.

Town or District.	County.	Subject-Matter.	Year, Statute, and Chapter.
Aberdare	Glamorgan	Market and Market-house	15 & 16 Vict. c. 28.
Abergavenny	Monmouth	New Market	2 & 3 Vict. c. 64.
Aberystwith	Cardigan	Improvement Commissioners to establish Market	35 & 36 Vict. c. 30.
Accrington	Lancashire	<i>Provisional Order</i>	29 & 30 Vict. c. 108. (public).
Ashton u. Lyne	"	Regulating Market and erecting Market-place	9 Geo. 4. c. 42.
"	"	Empowering Mayor, &c. to extend and erect Market-places and regulate Markets	12 & 13 Vict. c. 35. s. 28, &c.
"	"	Extending same Powers	40 & 41 Vict. c. 171.
Avon or Aberavon	Glamorgan	Establishing Markets and Fairs	11 & 12 Vict. c. 138.
Aylesbury	Bucks	Incorporating Company for holding Markets and Fairs	26 & 27 Vict. c. 23.
"	"	Amended	30 & 31 Vict. c. 61.
Bangor	Carnarvon	Incorporating Company for constructing Market-house, &c., and regulating Market	18 & 19 Vict. c. 31.
Barnstaple	Devon	Paving and regulating Market	51 Geo. 3. c. 154.
"	"	Establishing new Market, and regulating existing Markets and Fairs	15 & 16 Vict. c. 20.
Basingstoke	Hants	Enlarging Market-place, &c., and establishing new Cattle Market	10 Geo. 4. c. 42.
Bath	Somerset	Regulating Market	14 & 15 Vict. c. 104. (repealing 6 Geo. 3. c. 70.)
Bedford	"	Erecting new Market places	43 Geo. 3. c. 128. s. 13, &c.
Bethesda	Carnarvon	Providing Market	17 & 18 Vict. c. 111. s. 60.
Bilston	Stafford	Establishing and regulating Market, and erecting Town Hall and Market-place	5 Geo. 4. c. 51.
"	"	Empowering Improvement Commissioners to purchase and regulate the existing Market	13 & 14 Vict. c. 96.
Birkenhead	Cheshire	Establishing Market	3 & 4 Will. 4. c. 68.
"	"	Amended	1 & 2 Vict. c. 33.
Birmingham	Warwick	Regulating Market	52 Geo. 3. c. 113.
"	"	New regulations	9 Geo. 4. c. 54.
"	"	Enabling Town Council to establish Market and Fair	24 & 25 Vict. c. 206. s. 61, &c.
Birstal	York	Local Board to provide Market, &c.	35 & 36 Vict. c. 73.
Blackburn	Lancashire	Regulating Markets	43 Geo. 3. c. 125.
"	"	New regulations	4 & 5 Vict. c. 112.
"	"	Erecting Hall and improving Market	10 & 11 Vict. c. 255.
"	"	Other provisions for same	17 & 18 Vict. c. 183.
"	"	Corporation to provide Cattle Market	33 & 34 Vict. c. 160.
Blackpool	"	Empowering Local Board of Health to purchase Market	16 & 17 Vict. c. 29. s. 57., &c.
Bodmin	Cornwall	Market	55 Geo. 3. c. 85.
Bognor	Sussex	Meat Market	3 Geo. 4. c. 57.
"	"	Amended	6 Geo. 4. c. 185.
"	"	Re-amended	5 & 6 Will. 4. c. 101.
"	"	<i>Alterations by Provisional Order</i>	34 & 35 Vict. c. 187.
Bolton	Lancashire	Market	13 & 14 Vict. c. 40.
"	"	Repealed and other provisions made	17 & 18 Vict. c. 159. s. 10, &c.
Bradford	York	Mayor, &c. to acquire and regulate Markets and Fairs, and take tolls	29 & 30 Vict. c. 222.
Brecon	Brecknock	Providing Market-places and regulating Market	1 & 2 Vict. c. 13.
"	"	Incorporating "Brecon Market Company" and vesting in them Markets and Fairs with authority to regulate	25 & 26 Vict. c. 186.
Bridgend	Glamorgan	Removing and regulating Market	6 & 7 Will. 4. c. 8.
Bridgwater	Somerset	Regulating Market	7 Geo. 4. c. 7.
"	"	"	20 & 21 Vict. c. 30.
Brighton	Sussex	"	13 Geo. 3. c. 34.
"	"	"	50 Geo. 3. c. 38.
"	"	"	6 Geo. 4. c. 179.
Bristol	"	Removing Market in Thomas Street, and enlarging the Wool Hall there	9 Geo. 4. c. 41.
"	"	Regulating Market	7 Will. 4 and 1 Vict. c. 85.
Brixham	Devon	Improving Market	7 Will. 4 and 1 Vict. c. 75.
Burnham	Somerset	Incorporating "The Highbridge Market Company" for providing Markets, &c. in several Parishes	23 & 24 Vict. c. 189.
Burnley	Lancashire	Incorporating "Burnley Market Company"	28 & 29 Vict. c. 230.
"	"	Powers as to Markets transferred to Corporation	34 & 35 Vict. c. 154.
Burslem	Stafford	Regulating Markets	6 Geo. 4. c. 131.
Bury	Lancashire	"	2 & 3 Vict. c. 8.
"	"	Markets vested in Improvement Commissioners	35 & 36 Vict. c. 146.
Cambridge	Cambridge	Regulating Markets	13 & 14 Vict. c. 37.
Canterbury	Kent	" Cattle Market	41 Geo. 3. c. 7.
"	"	Erecting Market House for Corn, Hops, &c.	5 Geo. 4. c. 134.
"	"	<i>Altered by Provisional Order</i>	29 & 30 Vict. c. 24. (public).
Cardiff	Glamorgan	Removing Market Places	5 & 6 Will. 4. c. 51.
"	"	Powers transferred to Corporation	38 & 39 Vict. c. 187.
Cardigan	Cardigan	Enabling Mayor, &c. to provide Market House and establish Markets and Fairs	20 & 21 Vict. c. 38.
Carlisle	Cumberland	Improvement	36 & 37 Vict. c. 178.
Carmarthen	Carmarthen	Removing Market Places	6 & 7 Vict. c. 12.
"	"	Empowering Mayor, &c. to provide new Cattle Market	16 & 17 Vict. c. 9.
Cheltenham	Gloucester	Erecting new Market	66 Geo. 3. c. 117. s. 86.
"	"	Other Provisions	1 & 2 Geo. 4. c. 121.
Chester	Chester	Establishing new Market Places	8 & 9 Vict. c. 15.
"	"	Regulating Market	15 & 16 Vict. c. 50.
Chesterfield	Derby	Constructing Market House, &c.	17 & 18 Vict. c. 114.
"	"	Vesting Chesterfield Market Company's property in Corporation	36 & 37 Vict. c. 17.
Chichester	Sussex	Cattle and Meat Market	47 Geo. 3. sess. 2. c. 84.
"	"	Removal of Cattle Market	31 & 32 Vict. c. 67.
Chorley	Lancashire	Improvement Commissioners empowered to purchase Markets and Fairs	15 & 16 Vict. c. 181. s. 74.

Town or District.	County.	Subject-Matter.	Year, Statute, and Chapter.
Chobley	Lancashire	Further powers	34 & 35 Vict. c. 66.
Cley	Norfolk	Allotment for Fairs	1 & 2 Geo. 4. c. 105. s. 26.
Clifton, Dartmouth	Devon	Market House	55 Geo. 3. c. 28.
		<i>Provisional Order to repeal</i>	23 & 24 Vict. c. 118 (public).
Congleton	Cheshire	Enabling Corporation to improve and regulate Markets	29 & 30 Vict. c. 52.
Coventry	Warwick	Empowering Mayor, &c. to erect a Market House	26 & 27 Vict. c. 92.
Cowes, West	Isle of Wight	Market	56 Geo. 3. c. 25.
Croydon	Surrey	Butter Market House	46 Geo. 3. c. 130.
"	"	<i>Provisional Order thereon</i>	32 & 33 Vict. c. 124.
Darlington	Durham	Market	17 & 18 Vict. c. 181.
"	"	Enabling Local Board to enlarge, &c.	24 & 25 Vict. c. 77.
Dartmouth (<i>see</i> Clifton).			
Daventry	Northampton	Regulating Market, &c.	46 Geo. 3. c. 118.
Devonport	Devon	Enlarging Market and regulating Tolls	5 & 6 Will. 4. c. 15.
Dover	Kent	Fish Market, &c.	7 Geo. 4. c. 5.
Dowlais	Glamorgan	Market	7 Will. 4. and 1 Vict. c. 128.
Durham	Durham	Incorporating "Durham Markets Company" to establish new Markets, &c., abolishing Corn Tolls and regulating Markets and Fairs.	14 & 15 Vict. c. 6.
Exeter	Devon	Removing Market Places	1 Geo. 4. c. 78.
"	"	"	4 & 5 Will. 4. c. 8.
"	"	"	3 & 4 Vict. c. 22.
"	"	Extending Provisions	40 & 41 Vict. c. 41.
Exmouth	"	Regulating Market	1 & 2 Vict. c. 5.
"	"	"	4 & 5 Vict. c. 46.
"	"	"	30 & 31 Vict. c. 19.
Farnworth	Lancashire	Local Board to provide Market Houses	30 & 31 Vict. c. 73.
Fishguard	Pembroke	Market	4 & 5 Will. 4. c. 66.
Fleetwood	Lancashire	"	5 & 6 Vict. c. 49.
Folkestone	Kent	Enabling Corporation to erect Market, &c.	18 & 19 Vict. c. 147.
Frome	Somerset	Removing part of Market Place	50 Geo. 3. c. 62.
"	"	Incorporating Company to hold Markets and Fairs	37 & 38 Vict. c. 12.
Glossop	Derby	Market	7 & 8 Vict. c. 8.
Gloucester	Gloucester	Market Places	1 & 2 Geo. 4. c. 22.
"	"	Empowering Mayor, &c. to improve Market	37 & 38 Vict. c. 111.
Gosport	Hants	New Market Place	51 Geo. 3. c. 172.
"	"	"	9 Geo. 4. c. 14.
Great Grimsby	Lincoln	Enlarging Market Place	16 & 17 Vict. c. 30.
Great Torrington	Devon	Market House	5 & 6 Vict. c. 22.
Greenwich	Kent	Enabling Commissioners of Greenwich Hospital to regulate Market	12 & 13 Vict. c. 28 (public).
Hailsham	Sussex	Cattle Market	34 & 35 Vict. c. 50.
Halifax	York	New Market Place	50 Geo. 3. c. 30.
"	"	Vesting Market in Corporation, &c.	16 & 17 Vict. c. 167. s. 69.
Hanley	Stafford	Regulating Market	53 Geo. 3. c. 115.
"	"	<i>Provisional Order thereon</i>	25 & 26 Vict. c. 25 (public).
Hastings	Sussex	Regulating Market	2 & 3 Will. 4. c. 91.
Haverfordwest	Pembroke	Market Tolls and Dues	31 & 32 Vict. c. 34.
Hereford	Hereford	Enabling Corporation to establish Market Places	56 Geo. 3. c. 23.
"	"	Amending same, and limiting the Nine Days Fair	1 & 2 Vict. c. 69.
"	"	Empowering Corporation to regulate Markets and Fairs	17 & 18 Vict. c. 31. s. 30.
Highbridge	Somerset	(<i>See under</i> Burnham)	23 & 24 Vict. c. 189.
"	"	Amended	28 & 29 Vict. c. 302.
Holme Cultram	Cumberland	Land set out for Fair	46 Geo. 3. c. 112. s. 20.
Imworth or Imbercourt.	Surrey	Market House	48 Geo. 3. c. 134.
Kidsgrove	Stafford	Market and Fair	20 & 21 Vict. c. 26.
Kimberworth	York	Purchase of Market and Fair. (<i>See</i> Rotherham)	26 & 27 Vict. c. 117.
"	"	Amended	38 & 39 Vict. c. 70.
King's Lynn	Norfolk	Removing Saturday and Beast Market, and improving	43 Geo. 3. c. 37.
"	"	Amended	46 Geo. 3. c. 21.
"	"	Regulating Markets and Fairs	22 Vict. c. 82.
Kingston-upon-Hull.	York	Improving Market Place	41 Geo. 3. c. 65.
"	"	Preventing Fraudulent Sales	50 Geo. 3. c. 41.
Kingston-upon-Thames.	Surrey	Enabling Corporation to remove Fair, and to regulate Markets and Fairs	18 & 19 Vict. c. 45. s. 82.
"	"	Market House	48 Geo. 3. c. 134.
Landport and Portsea.	Hants	Enabling Improvement Commissioners to provide Markets and take Tolls	20 & 21 Vict. c. 37. s. 64.
Launceston	Cornwall	Market House	3 & 4 Vict. c. 75.
Leamington Priors	Warwick	Market	6 & 7 Vict. c. 59.
Leek	Stafford	Purchasing Market Tolls, &c.	18 & 19 Vict. c. 132.
Leicester	Leicester	Enabling Town Council to improve Saturday Market Place, and provide Cattle Market and Fair Place.	9 & 10 Vict. c. 29.
"	"	Removing Cattle Market	29 & 30 Vict. c. 26.
"	"	Vegetable Market	31 & 32 Vict. c. 24.
Leominster	Hereford	Establishing and regulating Markets and Fairs	16 & 17 Vict. c. 77.
Lincoln	Lincoln	Removing "St. Hugh's Fair"	43 Geo. 3. c. 120. s. 22.
Liverpool	Lancashire	Abolishing Tolls and Stallages and granting others, and regulating Markets and Fairs	59 Geo. 3. c. 9.
Llandaff	Glamorgan	Constructing "The Llandaff and Canton District Markets."	21 & 22 Vict. c. 105.
Llandudno	Carnarvon	Market	17 & 18 Vict. c. 102.

Name.	Subject-Matter.	Year, Statute, and Chapter.
LONDON AND METROPOLITAN DISTRICT MARKETS :		
Belgrave Market	Purchase of Lands, &c. (<i>see</i> St. Luke's, Chelsea)	36 & 37 Vict. c. 169.
Billingsgate	Regulation of Sale of Fish by wholesale	42 Geo. 3. c. 88.
"	Establishing Free Market	10 Will. 4. c. 13.
"	Amending Regulations	9 & 10 Vict. c. 346.
"	Discontinuing Tolls	22 & 23 Vict. c. 29 (public).
"	Repeal of 10 Will. 4. c. 13., as to Free Market at Billingsgate	31 & 32 Vict. c. 45.
"	Extension of Market	34 & 35 Vict. c. 55.
Borough Market, Southwark.	Amending earlier Acts as to Powers of the Churchwardens of St. Saviour's, Southwark, to hold Markets	4 Geo. 4. c. 34.
"	Enlarging powers	10 Geo. 4. c. 119.
Bread Trade	Regulating Assize and Sale of Bread	45 Geo. 3. c. 23.
"	Amended	48 Geo. 3. c. 70.
"	Further regulations	55 Geo. 3. 99.
"	Do.	59 Geo. 3. c. 127.
"	Do.	60 Geo. 3. and 1 Geo. 4. c. 1.
"	Do.	1 Geo. 4. c. 4.
Coal Exchange	Regulating Measurement, &c.	42 Geo. 3. c. 89.
"	Establishing a Free Market	43 Geo. 3. c. 134.
"	Amended	44 Geo. 3. c. 82.
"	Other provisions	47 Geo. 3. sess. 2. c. 68
"	Preventing Fraudulent Measurement	56 Geo. 3. c. 21.
"	The like	57 Geo. 3. c. 1.
"	Coal Meters of Westminster	57 Geo. 3. c. 40.
"	Regulating sale of Coal in London and the surrounding Counties	1 & 2 Will. 4. c. 75.
"	Continued	1 & 2 Vict. c. 131.
"	Rebuilding City of London Coal Market	9 & 10 Vict. c. 22.
Columbia Market	Establishment of	29 & 30 Vict. c. 2.
"	Confirming gift of Market to the City of London by the Baroness Burdett Coutts.	36 & 37 Vict. c. 133.
"	Re-transfer of Market to the Baroness Burdett Coutts	38 & 39 Vict. c. 3.
Corn Exchange	Providing a new Exchange at Mark Lane	7 Geo. 4. c. 55.
"	Incorporation of Proprietors, and further powers	35 & 36 Vict. c. 36.
Covent Garden Market.	Regulating	53 Geo. 3. c. 71.
"	The like	9 Geo. 4. c. 113.
Cumberland Market	Removing Market from the Haymarket, and establishing a Market in York Square, Clarence Gardens, and Cumberland Market, in the parish of St. Pancras.	11 Geo. 4. and 1 Will. 4. c. 14. (public).
Farringdon Market	Existing Market abolished. Central Fruit and Flower Market erected	38 & 39 Vict. c. 59.
"	Powers to convert Central Fruit Market into an Inland Fish Market, &c.	45 & 46 Vict. c. 104.
Fleet Market	Removing	5 Geo. 4. c. 151.
"	Further provisions	11 Geo. 4. and 1 Will. 4. c. 64.
Haymarket	Removing	11 Geo. 4. and 1 Will. 4. c. 14. (public).
Hungerford Market	Incorporating "The Hungerford Market Company" for re-establishing Market for Fish, Poultry, &c.	11 Geo. 4. and 1 Will. 4. c. 70.
"	Amended, and powers enlarged	6 & 7 Will. 4. c. 68.
"	Dissolution of the Company, and transfer of property to Charing Cross Railway Company	23 & 24 Vict. c. 147.
Islington	Cattle Market established	5 & 6 Will. 4. c. 111.
"	" abolished	17 & 18 Vict. c. 63.
"	Regulation of Cattle Traffic	20 & 21 Vict. c. 21.
King's Place, Newington, Surrey. <i>See</i> Sheep Skin Markets.		
Lambeth	Markets ("Lambeth Market Company")	31 & 32 Vict. 168.
"	Markets in St. Mary's parish ("Kennington Market Company")	31 & 32 Vict. c. 44.
Leadenhall Market	Extension and regulation	34 & 35 Vict. c. 54.
Metropolitan Cattle Market	Act, 1851	14 & 15 Vict. c. 61.
"	Amending Act	20 & 21 Vict. c. 135.
"	The like	28 & 29 Vict. c. 208.
"	Leasing Powers	38 & 39 Vict. c. 46.
Newgate Market	Abolishing Market and removing shambles, &c.	24 & 25 Vict. c. 52.
Newport Market	Erecting Market on the site of the old Market in the parish of St. Anne's, Soho, and St. Martin's-in-the-Fields	35 & 36 Vict. c. 82.
Portman Market	Established in parish of St. Mary-le-bone	11 Geo. 4 & 1 Will. 4. c. 71.
"	Powers enlarged	2 & 3 Will. 4. c. 113.
Riverside, Shadwell	Fish Market	45 & 46 Vict. c. 146.
St. Luke's, Chelsea	Erection of Belgrave Market	32 & 33 Vict. c. 157.
Sheep Skin Markets	At Wood's Close, Southwark; Whitechapel Market; and King's Place, Newington, regulated	39 & 40 Geo. 3. c. 66. (public).
"	Amended	41 Geo. 3. c. 53 (public).
"	Amended, with regulations extending over the Metropolis and 15 miles round	43 Geo. 3. c. 106.
"	Repeal and new provisions	48 Geo. 3. c. 71.
"	Further powers. Inspection, &c.	54 Geo. 3. c. 115.
"	Further provisions	5 Geo. 4. c. 57 (public).
Smithfield	Providing a Metropolitan Market in lieu of Smithfield Market	14 & 15 Vict. c. 61 (public).
"	Establishing a Meat, Poultry, and Provision Market at Smithfield	23 & 24 Vict. c. 193.

Name.		Subject-Matter.	Year, Statute, and Chapter.
LONDON AND METROPOLITAN DISTRICT MARKETS—continued.			
Smithfield	-	Further provisions for improving Market	25 & 26 Vict. c. 174.
	-	Amended	27 & 28 Vict. c. 15.
South London Market	-	Erecting a Market in the parish of St. George the Martyr, Southwark	4 & 5 Will. 4, c. 45.
"	-	Amended	7 Will. 4, and 1 Vict. c. 114.
"	-	Further provisions	27 & 28 Vict. c. 141.
"	-	The like	29 & 30 Vict. c. 269.
South London: Elephant & Castle	-	Erecting a Market in the parish of St. Mary, Newington	45 & 46 Vict. c. 144.
Southwark	-	See Borough Markets.	
"	-	Prohibition of Markets in High Street, Southwark	28 Geo. 2. c. 9. and c. 28. (public).
" Wood's Close	-	See Sheep Skin markets.	
Westminster Fish Market	-	Act amending 29 Geo. 2. c. 39. as to Sale of Eels, &c.	42 Geo. 3. c. 19. (public).
"	-	Repeal of Geo. 3. c. 54.	31 & 32 Vict. 45.
Whitechapel	-	See Sheep Skin Markets.	
Loughton (Lane End).	Stafford	Improvement of Market	12 & 13 Vict. c. 6.
Loughborough	Leicester	Local Board to regulate Market and Fair	31 & 32 Vict. c. 16.
Louth	Lincoln	Market and Fair	12 & 13 Vict. c. 78.
"	"	Vesting Market and Fair in Mayor, &c., and settling disputes	12 & 13 Vict. 5. (private).
Lowestoft	Suffolk	Regulating Market	16 & 17 Vict. c. 18.
"	"	Further powers	40 & 41 Vict. c. 147.
Ludlow	Salop	Cattle Market	16 & 17 Vict. c. 24.
Lytham	Lanc.	Market	10 & 11 Vict. c. 251.
Macclesfield	Chester	Enabling Mayor, &c. to enlarge and regulate Market and Fairs	12 & 13 Vict. c. 26. s. 37.
Maidstone	Kent	New Market Places, &c.	5 Geo. 4. c. 109.
Malvern	Worcester	Malvern Improvement Commissioners to establish Market House, &c.	21 & 22 Vict. c. 31. s. 18.
Manchester	Lanc.	Providing Market Places and regulating Market and Fair	9 & 10 Vict. c. 219.
"	"	Amending	10 & 11 Vict. c. 14.
"	"	"	16 & 17 Vict. c. 91.
"	"	Enabling Sale of Shambles	23 & 24 Vict. c. 48. s. 16.
"	"	Enabling Mayor, &c. to enlarge Market	28 & 29 Vict. c. 90.
Market Drayton	Salop	Cattle Market	28 & 29 Vict. c. 95.
Melcombe Regis	Dorset	Market	50 Geo. 3. c. 187.
Melton Mowbray	Leicester	Cattle Market	32 & 33 Vict. c. 27.
Merthyr Tydvil	Glamorgan	Providing Market Place, &c.	5 & 6 Will. 4. c. 77.
Middlesborough	York	Market	4 & 5 Vict. c. 68.
"	"	Enabling Local Board of Health to enlarge	19 & 20 Vict. c. 77.
"	"	"	21 & 22 Vict. c. 140.
"	"	Extension of Time	29 & 30 Vict. c. 143.
"	"	Extending corporation powers	40 & 41 Vict. c. 30.
Monmouth	Monmouth	Removing Market	4 & 5 Will. 4. c. 49.
Neath	Glamorgan	"	5 & 6 Will. 4. c. 58.
Newark	Notts	Butchers' Market	14 & 15 Vict. c. 97.
Newport	Monmouth	Enabling Corporation to purchase of Duke of Beaufort the Market and Market House	18 & 19 Vict. c. 41. s. 9.
Newport	Salop	Incorporating the "Newport Market Company" to provide Market House, &c., and regulate Markets and Fairs	31 & 32 Vict. c. 21.
Newton Abbot	Devon	Markets	31 & 32 Vict. c. 75.
Northampton	Northampton	Enabling Corporation to establish Markets and Fairs	33 & 34 Vict. c. 45.
Norwich	Norfolk	Authorising Corporation to enlarge, establish, and regulate Markets and Fairs	23 & 24 Vict. c. 34.
"	"	Amending	25 & 26 Vict. c. 3.
Nottingham	Nottingham	Defining and extending powers of Corporation as to Markets and Fairs	37 & 38 Vict. c. 194.
Oswestry	Salop	Removing and regulating Markets and Fairs	11 & 12 Vict. c. 33.
Pembroke Dock	Pembroke	Authorising Commissioners of the Navy to establish and regulate Markets	59 Geo. 3. c. 125.
Penrith	Cumberland	Waste lands vested in Duke of Devonshire in trust for holding Fairs and Markets thereon	43 Geo. 3. c. 103. s. 13.
Peterborough	Northampton	Cattle Market	26 & 27 Vict. c. 32.
Plymouth	Devon	Enabling Mayor, &c. to regulate Markets	30 & 31 Vict. c. 128.
Pontypridd	Glamorgan	Incorporating Company to hold Markets and Fairs, &c.	40 & 41 Vict. c. 69.
Portsea	Hants	Empowering Commissioners to provide Markets and take Tolls	20 & 21 Vict. c. 37. s. 64.
Portsmouth Fair	"	Discontinued	25 & 26 Vict. c. 34. (public).
Portsmouth	"	Free Meat Fair discontinued	10 & 11 Vict. c. 257. s. 52.
Preston	Lanc.	Corporation to regulate Fairs and Markets, erect Halls, &c.	24 & 25 Vict. c. 7.
Reach	Cambridge	Market	13 & 14 Vict. c. 37.
Reading	Berks	Incorporating "Reading Cattle Market Company,"	13 & 14 Vict. c. 42.
"	"	Establishing Corn Exchange and regulating Market	16 & 17 Vict. c. 39.
Rhyl	Flint	Market	15 & 16 Vict. c. 32.

Town or District.	County.	Subject-Matter.	Year Statute, and Chapter.
Rochdale	Lanc.	Additional Market-place	8 Geo. 4. c. 58.
"	"	Corporation powers as to Market, &c.	35 & 36 Vict. c. 149.
Ross	Hereford	Market	28 & 29 Vict. c. 108.
Rotherham	York	Improving Market-place	41 Geo. 3. c. 66.
"	"	Enabling Local Board of Health to purchase Market and Fair. (See Kimberworth.)	26 & 27 Vict. c. 117.
"	"	Regulations	38 & 39 Vict. c. 70.
Runcorn	Cheshire	Regulation of Market	15 & 16 Vict. c. 68.
Ryde	Isle of Wight	Market	10 Geo. 4. c. 39.
"	"	Regulation of Market	17 & 18 Vict. c. 88. s. 40.
St. Austell	Cornwall	Rebuilding Market House and improving Market and Fair	5 & 6 Vict. c. 14.
St. Helen's	Lancashire	Regulation of Market	8 & 9 Vict. c. 176.
"	"	Vesting management of Market in Improvement Commissioners, &c.	14 & 15 Vict. c. 132.
"	"	Enabling them to provide Market-places	18 & 19 Vict. c. 74.
Salisbury	Wilts	Enabling "Salisbury Railway and Market House Company" to make a Market House	19 & 20 Vict. c. 93.
"	"	Amended	27 & 28 Vict. c. 21.
Scarborough	York	Providing covered Market and regulating Market and Fair "Scarborough Public Market Company"	15 & 16 Vict. c. 6.
"	"	Amended	17 & 18 Vict. c. 19.
Sheffield	"	Removing Corn, Hay, and Cattle Markets, and regulating Fair and Market	7 & 8 Geo. 4. c. 46.
"	"	Removing Market between King Street and Castle Street, and regulating Market and Fair	10 & 11 Vict. c. 45.
"	"	Amended Powers for additional Market	35 & 36 Vict. c. 59.
Shrewsbury	Salop	Cattle Market	11 & 12 Vict. c. 16.
"	"	Enabling Corporation to make additional Market-places	18 & 19 Vict. c. 178. s. 71.
Sidmouth	Devon	Maintaining Market	2 & 3 Vict. c. 81.
"	"	Amended	9 & 10 Vict. c. 48.
Southampton	Hants	Enabling Mayor, &c. to establish new Markets	28 & 29 Vict. c. 162.
South Molton	Devon	Building new Market House and regulating Market and Fair	25 & 26 Vict. c. 27.
Southport	Lancashire	Regulating Market, &c.	9 & 10 Vict. c. 30.
South Shields	Northumberland	Corporation to purchase Market, Fair, Stallages, &c. now vested in Dean and Chapter of Durham	16 & 17 Vict. c. 83. s. 31.
Spalding	Lincoln	Erecting Market House	16 & 17 Vict. c. 139.
Staines	Middlesex	Market	35 & 36 Vict. c. 22.
Stafford	"	Removing Market from back of Town Hall	16 & 17 Vict. c. 72.
Stalybridge	Lancashire	Establishing and regulating Market	9 Geo. 4. c. 26.
Stockton-on-Tees	Durham	Enabling Mayor, &c. to erect Cattle and other Markets	39 & 40 Vict. c. 118.
Stoke-upon-Trent	Stafford	Market	8 & 9 Vict. c. 16.
"	"	Provisional Order	39 & 40 Vict. c. 198.
Stourbridge	Worcester	Regulating Market and building Market-place	6 Geo. 4. c. 19.
"	"	"	29 & 30 Vict. c. 169.
Sunderland	Durham	Removing Market	50 Geo. 3. c. 27.
"	"	Amended	7 Geo. 4. c. 130.
"	"	Enabling Corporation to maintain and regulate Market	14 & 15 Vict. c. 67.
"	"	Abolition of Fair	30 & 31 Vict. c. 117.
Swansea	Glamorgan	Market	9 Geo. 4. c. 64.
"	"	Conferring powers on Mayor, &c. for improving and regulating Market and Fair	26 & 27 Vict. c. 13.
Taunton	Somerset	Enlarging and regulating Market	57 Geo. 3. c. 65.
"	"	Amended	3 & 4 Will. 4. c. 47.
"	"	Re-amended	3 & 4 Vict. c. 43.
Tavistock	Devon	Enabling Duke of Bedford to provide Market Houses and regulating Market and Fair.	22 Vict. c. 33.
Thrapston	Northampton	Incorporating a Company to establish Market and Fair	33 & 34 Vict. c. 136.
Tideswell	Derby	Allotting ground for Fair and Market	47 Geo. 3. sess. 2. c. 64.
Tiverton	Devon	Removing and regulating Market	6 Geo. 4. c. 139.
Todmorden	"	Provisional Order	34 & 35 Vict. c. 59.
Torquay	"	Regulating Market	12 & 13 Vict. c. 56.
"	"	Improvement	15 & 16 Vict. c. 188.
"	"	Further powers to "Torquay Market Company"	18 & 19 Vict. c. 27.
Torrington, Great	"	Market	5 & 6 Vict. c. 22.
Totnes	"	Improving Market	8 & 9 Vict. c. 134.
Tunbridge Wells	Kent	Market	5 & 6 Vict. c. 72.
Tunstall	Stafford	Maintaining Market and Market-place	3 & 4 Vict. c. 63.
"	"	Improvement	10 & 11 Vict. c. 252.
"	"	Enabling "Tunstall Market Company" to sell	10 & 11 Vict. c. 32.
Upton-on-Severn	Worcester	Providing Market-place and regulating Market	2 & 3 Will. 4. c. 40.
Ventnor	Isle of Wight	Market	7 & 8 Vict. c. 105.
Wakefield	York	Incorporating "Wakefield Borough Market Company" to establish Market, &c.	10 & 11 Vict. c. 49.
"	"	Authority to purchase lands for Market-place	13 & 14 Vict. c. 8.
"	"	To raise further moneys	16 & 17 Vict. c. 51.
Wallasey	Cheshire	Paving powers and establishment of Market	8 & 9 Vict. c. 6.
Walsall	Stafford	Powers for paving and improving Market	10 & 11 Vict. c. 161.
"	"	Amended	13 & 14 Vict. c. 15.
"	"	Transfer to Corporation	39 & 40 Vict. c. 119.
Walton-on-the-Hill.	Lancashire	Market	2 & 3 Will. 4. c. 8.
Warrington	"	Enabling Corporation to erect a covered Market	17 & 18 Vict. c. 8.
Wellington	Salop	Enabling Improvement Commissioners to purchase Market, Fair, and Market-place	17 & 18 Vict. c. 40. s. 35.
"	"	Incorporating a Company for holding Market and Fair	27 & 28 Vict. c. 103.

Town or District.	County.	Subject-Matter.	Year, Statute, and Chapter.
Wells - -	Somerset -	Improving Market (<i>see also</i> 19 Geo. 3. c. 81. public) -	4 & 5 Vict. c. 45.
West Bromwich -	Stafford -	Regulating Market -	17 & 18 Vict. c. 163.
West Cowes -	Isle of Wight -	Market and paving Powers - - - -	50 Geo. 3. c. 95.
Weston - super -	Somerset -	Market - - - - -	5 & 6 Vict. c. 20.
Mare.			
" - -	" - -	Extended - - - - -	14 & 15 Vict. c. 65.
" - -	" - -	<i>Varied by Provisional Order</i> - - - -	24 & 25 Vict. c. 12 (public).
Westward - -	Cumberland -	Land allotted for Fair near Bowsley -	51 Geo. 3. c. 56. s. 16.
Weyhill - -	Hants - -	" " Weyhill Fair in the manor of Ram- ridge.	52 Geo. 8. c. 181. s. 21.
Weymouth -	Dorset -	Market - - - - -	50 Geo. 8. c. 187.
" - -	" - -	Enabling Corporation to provide Market Houses, &c. -	17 & 18 Vict. c. 35.
" - -	" - -	Enlarging powers - - - - -	22 Vict. c. 5.
Whitby - -	York - -	Improving Market-place - - - - -	35 & 36 Vict. c. 52.
Wigan - -	Lancaster -	Enabling Local Board of Health to acquire the "Mon- day's Market" and the "Summer Fair"	23 & 24 Vict. c. 186. s. 58.
Winchester -	Hants - -	New Cattle Market and Corn Exchange - -	5 & 6 Will. 4. c. 50.
Wisbech - -	Isle of Ely -	Cattle Market - - - - -	50 Geo. 8. c. 106.
Wolborough -	Devon - -	Enabling Local Board to acquire Market Rights and Tolls	81 & 82 Vict. c. 75.
Wolverhampton -	Stafford -	Removing and regulating Market - - - -	54 Geo. 8. c. 106.
" - -	" - -	Other provisions - - - - -	16 & 17 Vict. c. 28.
Woolwich - -	Kent - -	Paving, &c. and regulating Market - - -	47 Geo. 8. sess. 2, c. 111.
" - -	" - -	Amended - - - - -	48 Geo. 3. c. 146.
Worcester - -	Worcester -	Removing Cattle Market - - - - -	7 Will. 4. & 1 Vict. c. 58.
Worthing - -	Sussex - -	Market - - - - -	49 Geo. 3. c. 114.
" - -	" - -	Other provisions - - - - -	1 & 2 Geo. 4. c. 59.
" - -	" - -	Provisional Order enabling Local Board to sell, &c. -	26 & 27 Vict. c. 64 (public).
Yeovil - -	Somerset -	Regulating Markets and Fairs - - - -	9 & 10 Vict. c. 218.
" - -	" - -	The like - - - - -	17 & 18 Vict. c. 125.
York - -	Yorkshire -	Mayor to make regulations for Market and Fair, &c. -	6 Geo. 4. c. 127. s. 117.
" - -	" - -	Improving Market-places and regulating and amending Market	3 & 4 Will. 4. c. 62.
" - -	" - -	Altering Cattle Market tolls - - - - -	16 & 17 Vict. c. 56.
" - -	" - -	Provisions as to Butter Market - - - -	8 Geo. 1. c. 27 (public).
" - -	" - -	Measurage Dues - - - - -	48 Geo. 3. c. 69.
" - -	" - -	" " - - - - -	59 Geo. 8. c. 112.
" - -	" - -	" " - - - - -	1 & 2 Geo. 4. c. 116.

2. SCOTLAND.

Town or District.	County.	Subject-Matter.	Year, Statute, and Chapter.
Aberdeen -	Aberdeen -	New Market - - - - -	2 & 3 Vict. c. 64.
Airdrie - -	Lanark - -	Empowering Town Council to erect Markets -	12 & 13 Vict. c. 89. s. 76.
Alloa - -	Clackmannan -	Providing Market-place - - - - -	43 Geo. 3. c. 55.
Ayr - -	Ayrshire -	Empowering Town Council to extend Markets -	36 & 37 Vict. c. 200.
Dalkeith - -	Midlothian -	New Market - - - - -	44 Geo. 3. c. 36.
" - -	" - -	Amended - - - - -	6 Geo. 4. c. 36.
Edinburgh -	" - -	Abolishing Petty and Market Customs, and granting other Dues	3 & 4 Vict. c. 17.
" - -	" - -	Amended - - - - -	7 & 8 Vict. c. 7.
" - -	" - -	Improving Meal, Corn, and Grain Market, &c. -	10 & 11 Vict. c. 48.
" - -	" - -	Arrangements between Lord Provost, &c. and North British Railway Company concerning the Fruit and Vegetable Market	23 & 24 Vict. c. 159 (Railway Act).
" - -	" - -	The like - - - - -	29 & 30 Vict. c. 266.
" - -	" - -	Further regulations as to Markets and alteration of Rates and Customs	37 & 38 Vict. c. 85.
Glasgow - -	Lanark - -	Establishing additional Market-places - -	6 Geo. 4. c. 107.
" - -	" - -	Regulation of Market and Slaughter-houses, &c. -	46 Geo. 3. c. 74.
" - -	" - -	" " - - - - -	1 Geo. 4. c. 88.
" - -	" - -	" " - - - - -	6 Geo. 4. c. 107.
" - -	" - -	" " - - - - -	8 & 9 Vict. c. 29.
" - -	" - -	" " - - - - -	13 & 14 Vict. c. 101.
" - -	" - -	Consolidating Glasgow Market enactments, &c. -	28 & 29 Vict. c. 63.
" - -	" - -	Further money powers for Markets, &c. -	34 & 35 Vict. c. 36.
" - -	" - -	Extending powers of Glasgow Market Commissioners -	40 & 41 Vict. c. 14.
Kilmarnock -	Ayr - -	Paving and regulating Market, &c. - - -	50 Geo. 3. c. 68.
Lanark - -	Lanark - -	Regulating Markets - - - - -	17 & 18 Vict. c. 104.
Paisley - -	Renfrew - -	Regulating Markets and Police, &c. - - -	46 Geo. 3. c. 116.
" - -	" - -	Vesting in Trustees for the creditors of the Burgh, the site of abandoned Market in Gilmour Street	6 & 7 Vict. c. 85. s. 4.

3. IRELAND.

Town or District.	County.	Subject-Matter.	Year, Statute, and Chapter.
Athlone -	Westmeath -	Regulations of Markets and Fairs, Tolls, and Customs -	15 & 16 Vict. c. 64.
Belfast -	Antrim -	Empowering Corporation to purchase Markets -	8 & 9 Vict. c. 142.
" -	" -	Further powers -	31 & 32 Vict. c. 166.
Cork -	Cork -	Establishing Corn Markets -	3 Geo. 4. c. 9.
" -	" -	Regulating Cork Butter Trade -	40 Geo. 3. c. 100.
" -	" -	The like -	53 Geo. 3. c. 70.
" -	" -	The like -	9 Geo. 4. c. 88.
" -	" -	" Cork Butter Market Act, 1886 " -	47 & 48 Vict. c. 119.
Dublin -	Dublin -	Providing Market-places, Stallages, and Tolls -	12 & 13 Vict. c. 97 (public).
" -	" -	Regulating Markets in the manor of St. Sepulchre in and near Dublin	19 & 20 Vict. c. 57 (public).
" -	" -	Providing Markets in the parishes of St. Mary and St. Bridget, and incorporating the " Dublin General Markets Company "	24 & 25 Vict. c. 238.
" -	" -	Constructing an improved Cattle Market in the parish of St. Thomas	25 & 26 Vict. c. 155.
" -	" -	Incorporating a Company to establish a Market in the South side of the City	39 & 40 Vict. c. 232.
" -	" -	Moore Street Markets -	45 & 46 Vict. c. 182.
" -	" -	Do. -	49 & 50 Vict. c. 26.
" -	" -	Provisional Order as to Fish and Vegetable Market -	51 and 52 Vict. c. 88.
Dungarvan -	Waterford -	Vesting Markets in the Town Commissioners, &c. -	26 & 27 Vict. c. 45.
Galway -	Galway -	Regulating Markets -	16 & 17 Vict. c. 200.
Kilkenny -	Kilkenny -	Empowering Mayor, &c. to make a general Market -	24 & 25 Vict. c. 49.
Limerick -	Limerick -	Establishing and maintaining Market -	15 & 16 Vict. c. 104.
" -	" -	Extending Powers of Limerick Market Trustees -	25 & 26 Vict. c. 23.
" -	" -	Alteration of Tolls and further powers -	35 & 36 Vict. c. 96.
" -	" -	Regulating " the Great Munster Fair." Establishing Commissioners with power to buy lands for a Fair Green	15 & 16 Vict. c. 11.
Londonderry -	Londonderry -	Regulating Fairs and Markets -	54 Geo. 3. c. 230.
Sligo -	Sligo -	Providing Market-place -	43 Geo. 3. c. 60.
" -	" -	Further powers -	32 & 33 Vict. c. 147.

MARKET RIGHTS AND TOLLS.

FIRST REPORT

OF THE

ROYAL COMMISSION

ON

MARKET RIGHTS AND TOLLS.

Vol. II.

Presented to both Houses of Parliament by Command of Her Majesty.



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REFERENCE.

A Royal Commission to inquire as to the extent to which market rights are in the hands of (1) local authorities, (2) trading companies, and (3) private persons or bodies of persons other than trading companies; and to inquire generally how and under what authority such rights are exercised, what are the revenues in respect of those rights, distinguishing the receipts from tolls, rents, stallages, and other dues from other sources of receipt; what is the accommodation given in return for the charges levied; in what ratio market tolls and dues stand to the value of the marketable commodities on which they are levied, and how far market rights, market byelaws and regulations, market tolls, rents, stallages, and dues, and tolls affecting market towns are restrictive of trade; and to report as to the advisability of local authorities acquiring existing market rights, and the arrangements desirable for that purpose, and as to the advisability of prohibiting the farming by local authorities of market tolls, rents, stallages, and other dues, and the placing of restrictions on the sale of goods outside the market that may be lawfully sold in the market, and also of providing that the tolls, &c. of markets held by local authorities shall from time to time be revised with the view to their being regulated by the necessary expenditure in connexion with the markets, and that such markets shall be free and open when the capital charges in respect of them have been paid off by the incomes from the markets or otherwise, and also to report generally as to the alterations which may be desirable in the existing law relating to markets, having due regard to the interests of those concerned.

REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MAY IT PLEASE YOUR MAJESTY,

WE, the undersigned Commissioners, appointed to inquire into the question of Market Rights in the United Kingdom of Great Britain and Ireland, desire humbly to present to Your Majesty the following Report of what we have done in the prosecution of the inquiry entrusted to us.

Immediately on the issue of Your Majesty's Commission we prepared a series of questions, calculated to cover the whole ground of our inquiry, and to elicit the fullest information as to the management of Markets, their cost, and the profits derived from tolls, stallages, rents, and other sources.

These questions, which will be found in the Appendix to this Report, were arranged in three series, and confined to England and Wales.

The first, or Form A, was sent to Local Authorities who are owners of Market Rights.

The second, or Form B, was sent to owners of Market Rights not being Local Authorities.

The third, or Form C, was sent to Local Authorities not being owners of Market Rights.

The object in sending Form C was a desire to obtain independent opinions as to the management of markets owned by private individuals.

We propose to issue similar circulars in Scotland and Ireland.

A further series of questions has been issued to Your Majesty's Representatives in the United States, Germany, Belgium, France, and Austria, relative to Foreign Markets.

These questions are also to be found in the Appendix.

Five Assistant Commissioners have been appointed to assist us in our work. One is engaged in examining ancient charters and records connected with markets, under the superintendence of Mr. Elton, Q.C., M.P. His Report we submit herewith.

Two Assistant Commissioners are holding inquiries as to the management of markets in England, and the two remaining Assistant Commissioners are engaged in similar duties in Ireland.

The evidence taken before them will be submitted to Your Majesty at a future date.

We have taken oral evidence from owners of Market Rights and other witnesses in various parts of England in connection with the subject-matter of our inquiry, and it is our intention to continue to take evidence from time to time until, in our opinion we have obtained complete information on the subject.

The notes of evidence so taken before us up to the present time are appended to this Report.

All which we humbly submit for Your Majesty's gracious consideration.

(Signed)

DERBY.
BALFOUR OF BURLEIGH.
HUGH C. E. CHILDERS.
JAS. P. CORRY.
THOS. MARTINEAU.
CHARLES J. ELTON.
FRANCIS W. MACLEAN.
SPENCER CHARRINGTON.
JOHN J. HARWOOD.
WILLIAM C. LITTLE.
J. ALLANSON PICTON.
PIERCE MAHONY.

HENRY A. P. ROOKE, *Secretary*.
9th August 1888.

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MINUTES OF EVIDENCE

TAKEN BEFORE

THE ROYAL COMMISSION

ON

MARKET RIGHTS AND TOLLS.

At No. 32, Abingdon Street, Westminster.

FIRST DAY.

Thursday, 4th August 1887.

PRESENT :

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. THE LORD BALFOUR OF
BURLEIGH.
THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES P. CORRY, Bart., M.P.
SIR THOMAS MARTINEAU.

MR. C. I. ELTON, Q.C., M.P.
MR. SPENCER CHARRINGTON, M.P.
MR. J. J. HARWOOD.
MR. W. C. LITTLE.
MR. T. B. COCKERTON, *Secretary*.

Mr. S. B. PROVIS, C.B., examined.

1. (*Chairman.*) You are, I believe, one of the assistant secretaries of the Local Government Board?—I am.

2. We understand that the Board have caused some digests to be prepared on subjects relating to markets?—That is so.

3. Would you hand them in and give us some brief statement of their contents?—The first of them consists of a digest of the provisions of the Public Health Act, 1875, and of the Markets and Fairs Clauses Act with respect to markets. It sets out in substance the provisions of the sections of those two Acts on this subject. The other digest is a compilation of the decisions which have been given by the Courts with regard to markets since 1756. They are taken from Fisher's Common Law Digest, the Law Reports' Digests, and Embden's Digests. I hand in these papers (*handing in the same*).

4. To put a comprehensive question to you, can you explain to us how markets, as a rule, are established, and to whom they belong?—I may say generally that they are established by prescription, by charter, or under express statutory provisions; and that they belong to local authorities, to public bodies, or to private persons.

5. The Local Government Board, I presume, have nothing to do with those markets which belong to private persons?—That is so.

6. They are only concerned with such markets as are in the hands of local authorities?—Quite so.

7. For the purposes of this inquiry, who are the local authorities?—They are the urban sanitary authorities. I should explain that England and Wales outside the metropolis is divided into urban sanitary districts and rural sanitary districts. The urban sanitary districts consist of boroughs, Improvement Act districts, and Local Government districts; Improvement Act districts being districts constituted by local Acts under improvement commissioners, who have powers of town government and of rating, and Local Government districts being districts formed under the Public Health Act, 1875, or under the Sanitary Acts for which that Act was substituted. It is the urban sanitary authorities who are practically the local authorities with regard to markets.

7a. I suppose we may take it that the rural sanitary authority has not much to do with the question of markets?—Quite so.

8. We understand that the powers of the urban sanitary authorities as to markets are conferred by the Public Health Act, 1875?—That is so.

9. Is that invariably the case, or do they possess any powers under other Acts?—They have powers under local Acts not infrequently, but their general powers are those which are conferred by the Public Health Act.

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4 Aug. 1887.

10. We understand that the powers granted by the Act of 1875 are granted conditionally on certain consents having been obtained; is that the case?—That is so.

11. What consents are required?—They differ according to the nature of the authority. In the case of a town council, it is necessary that they should obtain the consent of two-thirds of that body in order to enable them to exercise powers with regard to markets under the Public Health Act. In the case of improvement commissioners or local boards it is necessary that they should obtain the consent of the owners and ratepayers of the district in the manner provided by the Act. The Act requires that the consent should be given at a meeting of the owners and ratepayers which it convened on a requisition of 20 owners or ratepayers; notice is given of the meeting by advertisement in some of the local newspapers, and by notices published in the district, and the question is submitted to the meeting. A poll may be demanded at the meeting, and, if so, it is taken by means of voting papers. It is only when the consent of the owners and ratepayers is obtained that the improvement commissioners or the local board are in a position to exercise their powers under the Act.

12. You have told us the process by which the powers of the sanitary authority are brought into operation; when they are so brought into operation, what are those powers and to what extent do they go?—The powers which they obtain are these: They may provide a market place and construct a market house and other conveniences for the purpose of holding markets; they may provide houses and places for weighing carts; they may make approaches to the market, and provide everything necessary for the convenient use of the market; they may purchase or take on lease, land and public or private rights in markets, and tolls for any of these purposes; and they may take stallages, rents, and tolls in respect of the use by any person of the market. They are also empowered to purchase the undertaking of any market company by agreement, provided that the consent of a certain proportion of the directors of the company is given; and they may further make byelaws for the regulation of the markets.

13. I suppose we may take it that the exercise of all these powers is subject to some limitation as to the market rights of other parties not being interfered with?—Certainly, that is so. Section 166 of the Public Health Act expressly provides that no market shall be established, in pursuance of it, so as to interfere with any rights, powers, or privileges enjoyed within the district by any person, without his consent.

14. Has that limitation been practically effective; are you aware of any cases which have arisen where interference with market rights has been complained of?—Yes; that section has been the subject of legal decision, I think, in one or two cases. The first point was raised in the case of *Fearon v. Mitchell*, in which it was held that a right within that section must be a distinct and specific right belonging to a person, and not a general right such as would be enjoyed by any of the Queen's subjects. A man had established a large building, called an agricultural hall, which was capable of holding a considerable number of cattle, and he was in the habit of holding sales by auction from time to time there. The local board had approved of the erection of that building prior to their establishing a market themselves, and he was desirous, therefore, of restraining them from setting up a market. But it was held that he was then merely exercising his own business, and that consequently he was not in the enjoyment of any such power, right, or privilege, as would interfere with the local authority themselves setting up a market.

15. (*Sir James Corry*.) What was the decision in that case?—That the market set up by the local board should not be interfered with.

16. (*Lord Balfour*.) Would he be allowed to go on with his business afterwards?—He would not be

allowed to go on with his business afterwards; but, on the other hand, the local board were not precluded from carrying on their market on account of his business.

17. (*Chairman*.) Do we rightly understand that market rights are held to confer a monopoly within a certain district; that is to say, that if A has the right to hold a market, that necessarily implies that B may not set one up within the district?—Yes, that another market could not be set up within the district. But the Markets and Fairs Clauses Act contains a prohibition of the sale elsewhere than in the market or in shops of certain articles which may be sold in the market. Then, perhaps, I may be allowed to mention one other case, the case of *Ellis v. Bridgnorth* (mayor, &c.). The town council had a market, and they were desirous of transferring it to another part of the town, but the occupiers of houses adjoining the market had had a right on market days to put out stalls in front of their houses for the sale of goods. It was held that the provision in section 166 precluded the town council from moving the market, inasmuch as it would have interfered with the powers and privileges of those persons.

18. Is there any general definition, or is it left to local usage, as to what articles may be sold only in the market?—There is no general definition.

19. We understand that certain provisions of the Markets and Fairs Clauses Act are incorporated with the Public Health Act; does the Markets and Fairs Clauses Act only apply where it is incorporated?—That is so. The Act is one of those consolidation Acts comprising a number of provisions which were formerly generally included in local Acts, and it only applies where it is incorporated with some special Act.

20. Is it often incorporated with local Acts as well as with the Public Health Act?—Certainly.

21. Would you state briefly the effect of the provisions incorporated with the Public Health Act?—There are three branches or divisions of the Act which are incorporated with the Public Health Act; and the first of them relates to the holding of the market; and it provides that notice shall be given before the market is opened for public use. It makes it the duty of the local authority, after the market has been opened, to hold it on the prescribed days. It prohibits sales outside the market, except in certain cases; and it imposes penalties for the exposure for sale of unwholesome food. Then another division is with regard to the weighing of goods and carts; that makes it the duty of the local authority to provide proper weighing-houses and places for weighing or measuring the commodities sold in the market, and to keep proper scales, and so on, for that purpose. And it imposes a penalty on officers of the market authority—that is to say, the local authority—who refuse to weigh or measure, and makes it necessary that they should provide for the weighing of carts, with some subsidiary provisions. The third branch which is incorporated with the Public Health Act is that relating to stallages, rents, and tolls. The sections on this subject direct that the market-place must be completed before the stallages and tolls can be taken. They provide the mode in which the tolls may be collected. They empower the undertakers to change the tolls from time to time, and provide for the recovery of the stallages and tolls, and that they shall be exhibited in the market. Then there are one or two other provisions which I will refer to very briefly, and which are not incorporated with the Public Health Act. They relate to the purchase of lands, to the provision of slaughter-houses, and to the recovery of penalties for damages. Those matters are dealt with by other provisions of the Public Health Act, and for that reason they have not been incorporated with that Act.

22. (*Mr. Little*.) Are they superseded?—They are not necessary, inasmuch as the Public Health Act contains other provisions on the subject.

23. They are not repealed?—They are not repealed. They are very useful in some cases where they are

incorporated with local Acts not administered by local authorities.

24. (*Chairman.*) We understand that one very important provision of the Act relates to the prohibition of trading outside the market?—That is so. It is section 13 of the Markets and Fairs Clauses Act: "After the market place is open for public use every person other than a licensed hawkers who shall sell or expose for sale in any place within the prescribed limits, except in his own dwelling-place or shop, any articles in respect of which tolls are by the special Act authorised to be taken in the market, shall, for every such offence, be liable to a penalty not exceeding forty shillings."

25. Has any litigation arisen upon that proviso?—Yes, there have been several cases with regard to it, one or two of which I would mention. The first point is, that a licensed hawkers is not within the prohibition; and a case arose as to whether the exemption extended to pedlars. In the case of *Howard v. Lupton*, it was held that it did extend to pedlars; and the decision is rather a remarkable one, in this way: the distinction in the Pedlars' Act, 1871, between a pedlar and a hawkers would seem to be that a pedlar is a man who goes about on foot, whereas a hawkers may travel with a horse and cart. But it was held in this case that a pedlar who had taken out a pedlar's certificate was within the exemption, although, as a matter of fact, he did go about with a horse and cart. The case was the stronger because a pedlar who goes about to sell vegetables or fruit need not get a certificate under the Pedlars' Act; and this man was going about selling vegetables and fruit. But the court decided that, notwithstanding that, inasmuch as he had got a pedlar's certificate, he was within the exemption by virtue of section 6 of the Pedlars' Act, and therefore that he was not liable to penalties for selling within the district.

26. (*Mr. Elton.*) Have you a legal definition of a "hawkers"?—No, I think not.

27. Perhaps there is not one?—There is not one in this Act. Then the next point is, that the prohibition extends to persons who sell or expose for sale in any place within the prescribed limits. In the case of a sanitary authority that would be taken to be the sanitary district. Section 316 of the Public Health Act makes that clear. Then, going on a little further, the section allows of the sale of goods by a man in his own dwelling-house or shop. There have been cases as to what is the meaning of the word "shop" within that section. In the case of *Pope v. Whalley* some erections had been put up which were mere stalls, and the owner endeavoured to alter them in such a way as to make them a shop; he boarded them in, as it were; they were roughly roofed in, and there were movable shutters in front of them, which were taken down whenever they were used for purposes of sale. The justices considered that that did not constitute a shop. I should also mention that it was just possible for some one to get on the other side of one of those stalls, but it was a difficult thing to do, and no one did it; and, moreover, property would not have been safe if left there by night. The court held that all these matters should be considered in determining as to whether it was a shop or not, namely, whether the structure was substantial, whether it would allow persons to come inside, whether goods would be protected from the weather, and at night, and what were the terms of the holding from the owner by the person using the structure; that is to say, whether it was a mere temporary holding. In that case the tenancy was taken by the week. Then, on the other hand, there was the case of *Ashworth v. Heyworth*, where it was held that a wooden shed affixed to a house, and supported on wooden posts, which had been erected on a piece of ground, and which had been in use for 18 years for purposes of sale, having been erected on some flags which projected several feet from the house, and those flags helping to support the shed, was a part of the dwelling-house or shop, and that, therefore, it was

within the exemption conferred by the section. Then there is one further point. The section only prohibits the sale of articles in the district where tolls are authorised to be taken in the market in respect of the sale of such articles, and in the case of *Caswell v. Cook* the point arose whether, supposing that the toll was not imposed in respect of the article, but was a toll imposed in respect of persons using the stall, that is to say, a stallage rather than a toll, that came within the section. It was held that it was not a toll within the section, and that consequently the prohibition did not apply.

28. We understand that the Markets and Fairs Clauses Act relates to fairs as well as to markets?—That is so.

29. Have the urban sanitary authorities power over fairs?—They have not. The Public Health Act expressly provides that the Markets and Fairs Clauses Act shall be incorporated, in so far as the same relates to markets, and therefore the power of sanitary authorities does not extend to fairs.

30. Have any difficulties arisen in consequence of that deficiency of power?—Yes, in one or two cases there has been a difficulty. It has been chiefly this: that the owners of rights in markets and fairs have been willing to part with the whole of them to the local authority, but have not been willing to part merely with the market rights. They have, in fact, sold or granted leases of rights in markets and fairs to the local authorities, and questions have arisen as to the validity of those grants. The opinion of the law officers was taken with regard to that question a few years ago, and they advised that the urban authority had in the first place no power to take a lease or conveyance of rights in fairs, and that unless the market rights and the rights as to fairs could be severed in the conveyance or lease, the deed would be void altogether.

31. There are included among the general powers of the Public Health Act borrowing powers, are there not?—There are.

32. Can the sanitary authorities use those powers for purposes connected with markets?—Yes, they can do so.

33. In doing so, or in any kindred matters, are they subject to the control of the Local Government Board or are they free?—There are certain matters in which they are subject to the Local Government Board. With regard to borrowing powers, for instance, and with regard to the purchase of land compulsorily, they are subject to the control of the Board; also with regard to the making of by-laws and tolls, the approval of the Board is required.

34. With regard to borrowing powers, has the Local Government Board control over the terms of the borrowing?—It has. The statute allows the authority to borrow for such period, not exceeding 60 years, as they, with the consent of the Local Government Board, may determine; and the term for repayment is always one of the points which is considered in connexion with the borrowing of the money.

35. Have the urban sanitary authorities the power of making by-laws, and if so, on what subjects?—Yes; the subjects of the by-laws are included in the Markets and Fairs Clauses Act, and the power is given to them by section 167 of the Public Health Act, 1875. The subjects upon which they can make by-laws are the following: They may regulate the use of the market place, and the buildings, stalls, pens, and standing therein; they may prevent nuisances or obstructions in the markets, or in the immediate approaches thereto; they may fix the days and hours upon which the markets are to be held; they may make by-laws also as to the inspection of slaughter-houses, and for keeping the same in a cleanly and proper state, and for removing filth and refuse therefrom; for regulating the carriers resorting to the market, and fixing the rates for carrying articles therefrom; for regulating the use of the weighing machines provided by the local authority; and for preventing the sale or exposure for sale of unwholesome

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provisions in the market. With regard to those powers, there are two or three of them that practically are not exercised; for instance, those with regard to slaughter-houses are not exercised, because the slaughter-houses are not provided under this Act, but under the Public Health Act itself, and there are other provisions in the Act under which they are dealt with. It has been found that the statutory provisions with regard to weighing machines, and with regard to the prevention of the sale of unwholesome food, are so definite and precise that no byelaws are necessary for the purpose, and there is a danger, of course, in having byelaws which might in any way conflict with the statutory provisions. The byelaws which the sanitary authorities make are founded on a model series, which was issued by the Local Government Board in 1877, and a copy of which I hand in (*handing in the same*). Those byelaws provide for goods being placed in the proper places which are appropriated for them; for their not being brought into the market before certain fixed hours, or allowed to stay after certain fixed hours; for lights and fires, where they have them, being put out at certain times; and there are arrangements for the proper spaces for cattle and for preventing obstruction either by goods or by persons, so that the market may be properly used, and for the cleansing of stalls. Then they fix the days and hours for the market, and direct where the carriers shall place their carts, and so on, and prohibit annoyance by canvassing on the part of such persons and make charges for the carriage of goods from the market place.

36. Then we may take it, I suppose, that the power of making market byelaws is largely exercised by the urban sanitary authorities?—Yes, it is exercised to a considerable extent. The cases just recently have not been so numerous, because the sanitary authorities have had the byelaws before; I think that in the three last years there have been about thirty cases.

37. We understand that the sanitary authority must obtain the approval of the Local Government Board to the tolls levied by them?—That is so.

38. Are many applications for such approval made?—They are not very numerous. Within the last three years there have been about 20 cases.

39. (*Mr. Little.*) Would those be cases of new markets or alterations of old markets?—They would include both.

40. (*Chairman.*) Is the approval of the Board necessary to stallages as well as to tolls?—It is not. The Act only renders their approval necessary to tolls.

41. Will you explain to us what is the difference between the two?—A stallage appears to be a payment made for the exclusive occupation of a portion of the market; whereas a toll is usually levied for bringing something or other into the market. The stallage rather relates to the actual use or hiring, so to say, of a portion of the soil of the market itself; whereas the toll is for bringing the thing into the market. In the case of *Yarmouth (Mayor, &c.) v. Groom* it was laid down that a stallage was the payment due to the owner of a market in respect of the exclusive occupation of a portion of the soil.

42. (*Sir Thomas Martineau.*) But that is different from a rent, is it not?—The statute gives the sanitary authority the same power with regard to rents as it does with regard to stallages.

43. (*Chairman.*) I am informed that in many cases markets belonging to urban sanitary authorities are held in the streets; have any questions arisen in regard to byelaws and tolls when that is the case?—Yes, a question has arisen as to whether, where the market was held in the streets they could make byelaws and tolls with regard to it. The difficulty was this, that the Act enables them to provide a market place and then goes on to say that they may take stallages, rents, and tolls in respect to the use by any person of such market; and it was suggested that unless they had provided a market place they could not take tolls in respect of it, and that the provision of a market place

was something different from merely allowing a market to take place in a street. The opinion of the law officers was taken upon the question, it being one of a great deal of importance, and they advised that the sanitary authority might deal with such markets under the Public Health Act. They said that the question was one of some difficulty, but that they thought that if the market was in a fixed place, or if it was acquired for purposes connected with the erection of a market place by the local authority, they were empowered to take such a market under that Act and to deal with it by means of byelaws and by the imposition of tolls.

44. In the case of an urban sanitary authority acquiring a market in which a toll is already charged, are they able to continue the charge without the approval of the Local Government Board, or do they require that approval?—They may continue it without the approval of the Local Government Board; but supposing that they made any change in the toll then the consent of the Board would be required. That point was also put to the law officers.

45. Do corporations often hold markets by charter or by prescription?—Yes, they do so.

46. Can they make byelaws and substitute fresh tolls in respect to markets so obtained under the Public Health Act?—Yes, the law officers advised that they could do so. The Public Health Act enables them with regard to any market belonging to them to make byelaws under the Markets and Fairs Clauses Act, and the whole section relates to powers enabling a local authority to establish or regulate markets; and the law officers considered that having regard to that it could be done, provided that the tolls were not increased beyond what was otherwise lawful.

47. Is the power of compulsory purchase of land for market purposes exercised?—Yes, at times it is. The cases are not very numerous, but the Board have had applications for provisional orders to enable local authorities to take land compulsorily for the purpose of extending their markets.

48. I suppose we may assume that the existence of that power in many cases renders its exercise unnecessary?—Probably so.

49. But when the power is exercised what is the method of procedure?—The local authority have to give notice by advertisement for three successive weeks of their intention to apply for compulsory powers. They then serve a notice on every owner, lessee, and occupier, of the land intended to be taken, and request an answer as to whether he assents or dissents or is neuter in respect of the taking of his lands. They then send a petition to the Local Government Board for a provisional order to enable them to take the land and show that these preliminary requirements have been complied with. The practice is then for the Board to direct a local inquiry to be held by one of their inspectors after notice, at which inquiry all persons have an opportunity of being heard. If the application is complied with the order is then granted and is introduced into a confirmation Bill and carried through Parliament by the Board, unless it is opposed, in which case it is treated exactly as a private Bill.

50. Does this power of compulsory purchase extend to market rights?—I think not. A question arose some few years ago as to whether a local authority could purchase water rights compulsorily under the Public Health Act, there being a saving clause in the Act with regard to water rights that the powers of the Act should not be exercised so as to injuriously affect water rights. It was contended that this saving did not prevent the grant of a provisional order to enable these rights to be purchased but that the intention was merely that the powers under other provisions of the Act should not be exercised adversely to those who held water rights. But that view was not supported by the law officers to whom it was referred; they said, No, a provisional order could not be granted to acquire water rights compulsorily; and I apprehend that the

same view would be taken with regard to the purchase of market rights.

51. Have you ever heard any complaints of the absence of the power of compulsory purchase of market rights?—I do not think that the Board have had complaints upon the subject; but, in many cases, these matters are dealt with by local Acts, which probably would not be necessary if there were under the general law a power to acquire such rights otherwise than by agreement.

52. Can you give us any information as to the loans for markets which have been recently sanctioned by the Local Government Board?—I find that the amount of the loans sanctioned in the last three years has been, in round numbers, 150,000*l.*, and that they have been granted to about 30 local authorities.

53. What is the security?—The mortgage of the rates out of which their expenses as urban sanitary authorities are defrayed. That rate is usually the general district rate, to which land is rated at one-fourth. The market itself is not mortgaged; there is no power to mortgage a market under the Public Health Act.

54. (*Mr. Little.*) Nor to mortgage the tolls?—Nor to mortgage the tolls.

55. (*Chairman.*) Is there any limitation to the power of borrowing?—Yes, it must not exceed two years rateable value of the district, and if it is over one year's rateable value, the sanction cannot be given without a previous local inquiry.

56. (*Lord Balfour.*) By rateable value do you mean the proceeds of the rate?—The net annual value of the hereditaments in the district according to the valuation list.

57. Two years complete value of it?—The wording of the Act is "the assessable value for two years"; but it really is twice the assessable value of the district, the assessable value being the value of the property upon which the rates are levied.

58. (*Mr. Little.*) Does the rateable value for the general district rate take the full value of the land and then charge it with one fourth of the rate, or does it rate the land at one fourth of the value?—The assessable value takes the land at one fourth of the value.

59. (*Chairman.*) Is there any limitation of the number of years for which the debt may run?—Yes, it must not exceed 60 years.

60. In the cases where urban sanitary authorities hold markets under local Acts, do those come under the cognizance of the Local Government Board?—In some respects they do. For instance, the local Acts at times require the Board's sanction to the borrowing of money for the purpose of acquiring or extending a market under the local Act; and sanction is often rendered necessary by byelaws and tolls under the local Act. Moreover, at times, the Board have applications for provisional orders to alter these local Acts, which they are empowered to do under the Public Health Act; and also the Bills before they are passed are deposited with the Local Government Board, who make reports upon them to Parliament.

61. What is usually the nature of the alterations desired in the local Acts?—They not infrequently require an increase of borrowing powers. The amount is usually limited in the local Act, and as time goes on an extension of the amount is needed. Then, at times, the tolls require revision, and sometimes there are practical defects in the local Acts which have been found in working, and which the Board are asked to remove by means of a provisional order altering the Act.

62. What are the points to which the Board address themselves in reporting upon the Bills for local Acts?—In the first place they look carefully at the form of the clauses, to see that they are consistent in themselves, and are such as would not be likely to give rise to difficulty afterwards. Then they would point out to Parliament matters which could already be dealt with under the general law, and which, there-

fore, it was unnecessary or inexpedient to deal with by a local Act on account of any divergence between the two. They would call attention to any extension of a monopoly which might be proposed by the local Act, and the Board would also suggest the exclusion of matters which could be dealt with by means of byelaws, and which, therefore, need not be matters of express statutory enactment.

63. With regard to rural sanitary authorities, do they possess any powers as to markets?—None at all.

64. Is it within the power of the Local Government Board to confer such powers upon them?—There is a provision in the Public Health Act which enables the Local Government Board to invest a rural authority with all or any of the powers of an urban authority on the application of the rural authority or of a certain proportion of the ratepayers. That power is very frequently exercised with regard to sanitary matters, but the Board have never invested a rural authority with power with regard to markets. They have very rarely been asked to do so, but their view has rather been that the object of the section was that a rural authority should have extended sanitary powers rather than powers of town government, and that if powers of town government were required it would be better that an urban authority itself should be constituted. There are difficulties too in actually conferring market powers upon rural sanitary authorities, supposing that the Board were willing to do so. For instance, the Act provides that the consent of two-thirds shall be given for the exercise of market powers in the case of a town council, and the consent of owners and ratepayers in the case of other urban authorities; and it would not be clear which of those provisions would apply if the rural authority were invested with those powers. Then, further, the power would probably be required for a portion only of the rural district where there was a small town; and the salaries of officers, which would be one of the expenses which the sanitary authority would incur, could not be charged merely upon that portion of the district, but would be a charge upon the whole district.

65. How many sanitary authorities are there?—There are about a thousand urban sanitary authorities. The actual number in 1886 was 990 urban sanitary authorities, and 576 rural sanitary authorities.

66. Can you state the number of markets in each description of district which are in the hands of local authorities, of trading companies, and of private persons respectively?—That information, so far as it is contained in the return which was moved for in 1886, has been abstracted and the result is this: that in boroughs the number of markets belonging to corporations appears to be 220, there are 10 cases in which tolls are leased to corporations, there are 13 cases in which the markets belong to companies, and 22 cases of markets belonging to other persons. That would make 265 markets in boroughs. Then, taking other urban districts, the number of markets belonging to sanitary authorities appears to be 93; tolls are leased to them in 31 cases, there are 36 belonging to companies, and 106 belonging to other persons, making a total of 266.

67. (*Mr. Charrington.*) Does that return include the metropolis?—Those figures do not include the metropolis.

68. Have you any enumeration of the number of markets in the metropolis, public and private?—No, the Local Government Board have no control over the local authorities in the metropolis with regard to markets.

69. (*Mr. Childers.*) When you speak of the metropolis, what do you mean exactly; what is excluded?—What I mean by the metropolis is the area subject to the Metropolis Management Act, 1855. There were belonging to public bodies in rural districts 26 markets, belonging to companies 15, belonging to other persons 148, and there are some others, 46 in number, as

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to which it does not appear to whom they do belong, making a total of 235. That would make the total number of markets 766.

70. (*Mr. Little.*) That is in England and Wales, exclusive of the metropolis?—Yes.

71. (*Chairman.*) In some districts we understand there are no markets?—In 15 boroughs, in 455 other urban districts, and in 400 rural districts, there appear to be no markets.

72. (*Mr. Harwood.*) Are there any exceptions besides the metropolis?—No, there are no other exceptions.

73. (*Chairman.*) Can you give particulars as to how the markets have been acquired, by charter, by prescription, or under statutory powers, or otherwise, in urban districts?—In boroughs 89 appear to have been acquired by charter, 15 by prescription, and under statutory powers 62. There are 32 which appear to have been acquired by charter or prescription, aided by statutory powers; by purchase or grant 19, and three as to which particulars are not given. Then, coming to other urban districts, there is one granted by charter, six by prescription, under statutory power 64, and by purchase or transfer 19.

74. Are you aware of any cases where tolls are received without any accommodation being provided in return?—The return shows some such cases. For instance, Maidstone is such a case, where the tolls amount to 1,059*l.*, and Yarmouth appears to be such a case, where the tolls amount to 970*l.*; Tamworth appears to be also such a case, where the tolls amount to 112*l.*, and Welshpool, where the tolls amount to 440*l.* These are all boroughs. Then there are some others as well. There is, for instance, Middleton and Tonge, where the tolls are 103*l.*

75. On the other hand there are cases, are there not, where the local authorities have spent large sums on the market?—Very large sums in some cases. For instance, at Manchester it appears that the manorial rights were acquired at a cost of 200,000*l.* in 1846, and that the Town Council have since expended in market extensions and approaches 359,000*l.* The gross receipts in 1885 were returned, I think, at 45,000*l.* In Liverpool the expenditure on market buildings has been 165,000*l.*, and the gross receipts in 1885 were 26,500*l.* At Birmingham the Town Council spent 211,000*l.* on markets and the gross receipts in the year were 19,000*l.* At Leeds the expenditure was 249,000*l.*, and the gross receipts 15,000*l.*

76. Can you state the total amount of the revenues of the local authorities in respect of markets in any particular year?—The local taxation returns, which are made by all the local authorities, give some information upon that point. The revenues of town councils from markets in the year ending the 25th of March 1885 appeared to amount to 352,000*l.*, and of the other urban authorities 31,700*l.* That would make a total of 383,700*l.*

77. (*Mr. Little.*) That again is gross, I suppose?—Yes, that would again be, I think, gross.

78. (*Chairman.*) Can you give us the expenditure in the year not defrayed out of loans for market purposes?—In the case of town councils it amounted to 136,000*l.*, and in the case of other urban authorities to 14,000*l.*, making a net sum of 150,000*l.* But that amount does not include the charges in respect of loans, that is to say, interest and instalments on provision made for repayment.

79. (*Mr. Little.*) Is it given under the different heads in the returns?—It is put together in the returns.

80. (*Chairman.*) Can you now give us the amount of outstanding loans?—The amount of outstanding loans in the case of town councils was 1,900,000*l.*

81. For markets alone?—For markets alone. The amount of the outstanding loans in the case of other urban authorities was 257,000*l.* The loans received during the year ended the 25th of March 1885 were as follows: Town councils, 72,000*l.*; and other urban

authorities, 2,500*l.* Those sums are not precisely the same as the amounts actually spent out of loans during the year, because they may have received some money during the year from loans which they did not spend during that year. The figures as to the amounts actually spent out of loans during the year are as follows: In the case of town councils, 64,000*l.*; and in the case of other urban authorities, 1,200*l.*

82. I presume we may look forward to a time when the capital charges will be paid off?—Yes.

83. When that is done it has been suggested that free markets should be established, have you formed any opinion upon that proposal?—There are one or two points which I would suggest should be borne in mind; one is that although the capital charges might be paid off yet still there would always be charges in respect of the maintenance of the market and the keeping it in order; where there was a market house, the necessary repairs of the structure and the salaries of any officers who were employed in connexion with it. So that it would not follow that there was no charge at all to the district because the debt was paid off. Then again, it may be mentioned that the inhabitants of the district are not the only people who avail themselves of the market, but that persons come in from outside, from the adjoining areas, for the purpose of buying and selling goods in the market.

84. But when a free market is spoken of, do you understand that to mean an entire absence of all tolls and charges, or do you rather understand it to mean, as I do, that there should be no tolls or charges beyond those which are necessary to meet the working expenses?—I was, in giving my answer, speaking of the former class of cases where there were no charges at all made in respect of the markets.

85. (*Lord Balfour.*) You spoke of the Markets and Fairs Clauses Consolidation Act; am I right in supposing that there is now no means by which a new market can be established without the incorporation of the clauses of that Act in the conditions under which the market is established?—That Act would only apply supposing that a new market were set up by statute and the statute itself incorporated the Markets and Fairs Act, as it no doubt would. But supposing that a grant were given from the Crown for a market that Act would not apply.

86. But are grants ever given from the Crown now-a-days for markets?—I do not think they ever are. I was dealing merely with the possibility in point of law.

87. You mentioned, in answer to a question in the earlier part of your evidence, the possibility of new markets interfering with old ones, and you mentioned some cases in which the question of interference had been the subject of legal decision; is trial in the Law Courts the only authoritative means of deciding the question whether a new market does interfere with an existing market or not?—It would be so.

88. The Local Government Board have no power of arbitration in the matter?—None whatever.

89. Are many such cases referred to the Law Courts?—No, not a large number.

90. I suppose that after a market is once established and money for it has been borrowed and the byelaws and tolls fixed, the powers of the Local Government Board over that market are extremely limited?—Quite so; practically they have no powers after those matters have been dealt with.

91. They have no power of inspection from time to time?—No, they have no jurisdiction in the matter, except in relation to the particular subjects referred to.

92. There are certain powers of inspection in cattle markets conferred upon the Privy Council, are there not?—Yes, under the Contagious Diseases (Animals) Act, 1878.

93. You mentioned four places as examples of places where there were considerable market tolls drawn without any return, so far as you know, being made for those charges; in whose hands are those rights to draw tolls; are they in the hands of private individuals

or of corporations?—The cases I mentioned were cases in which the corporation had the power, but there are no doubt other cases where the rights to levy tolls are in private hands.

94. Are those grants of rights under which these tolls are exacted of ancient date?—In one of them which I mentioned it does not appear; that is, Maidstone. The information given is merely that the market was established under a local Act. Probably, in some of them, that is the case; for instance, at Yarmouth the market rights are conferred by charter, and therefore they may be presumed to have been conferred some time ago.

95. Do you know of any cases in which the right to take tolls is in the hands of private individuals, and in which no return is made in the way of accommodation for the tolls exacted?—There are such cases no doubt, but the difficulty in giving instances is this: that the return does not usually show what the amount of the tolls is in cases in which they are in private hands. The return as moved for was merely for information, so far as the particulars could be obtained from the local authorities; and application was therefore made to the local authorities for the information, and they had not got the information so far as the private persons were concerned.

96. But the local authorities would be able to give this Commission the names of those who have the right to take the tolls in order that we might find that out?—Undoubtedly.

97. Does the Local Government Board ever receive complaints from people who consider themselves aggrieved, under the impression that the Local Government Board has more power than it has in the matter of markets?—I do not call to mind any instance at this moment. Of course they do receive complaints of that kind with regard to a great number of matters in which their powers are not so wide as the complainants suppose, but I do not call to mind any such case with regard to markets.

98. (*Mr. Childers.*) You said that the exceptions to the prohibitions against trading outside the market were when the trading was in the shop of a trader; those are exceptions in the Act, are they not?—They are exceptions in the Act.

99. Are there any further exceptions in the case of charters; are there any charters which confer greater powers and prevent trading within the district?—I am not able to say precisely what the charters contain, but there are undoubtedly cases where there are greater restrictions which have been conferred by local Acts.

100. Could you give any description of what those restrictions are?—For instance, the removal of the exemption with regard to hawkers would be a case in point.

101. Are there any cases in which private persons, even on their own premises, are restricted from sale by the operation of these charters?—Yes, there is a case referred to in one of the decisions, the case of Macclesfield, I think, where it would appear that there was a custom under which butchers were precluded from selling in their own shops on market day.

102. These restrictions relate as a rule to market days, do they not?—Quite so.

103. Are there any special fish markets which have privileges outside the metropolis?—I do not remember any that have come under the Board's notice at all. Of course fish is one of the matters that sanitary authorities can deal with under their general powers.

104. But are there any cases in which prohibition to sell fish except at a market exists, although the sale may be on the premises of the seller?—I do not remember any special case.

105. No seaside market on the east coast, for instance?—I do not think that any case has come under the Board's notice.

106. Would you be good enough to tell me what is understood to be the definition of the distinction

between markets and fairs?—I think that a fair is nothing more than a large market held at long intervals.

107. Fairs are very often held annually or quarterly, or three times a year in some cases; a market is customary once a week, but has there been a definition of the distinction?—No; I have looked into that matter, and I do not find that there has been any distinct definition as to what is the difference between a market and a fair. The only difference that I can suggest is the length of the interval between the holding of the markets as compared with the interval between the holding of the fairs.

108. That uncertainty is rather inconvenient, is it not?—It is.

109. Has it ever been found so? Have you ever had a case at the Local Government Board where a market has been stated to be a fair, and outside their jurisdiction?—We have not had it exactly in that shape, but where we have pointed out that the sanitary authority can only deal with markets under the Public Health Act, they have sometimes suggested that a fair ought to be considered a market, there being no real distinction between the two, and that therefore they ought to be allowed to deal with both.

110. Within a local government jurisdiction, whether a borough or not, where a legal market could only be set up by the local authority, you have had, have you not, cases of a field being used for a fair *ad invitum* of the local authorities?—Yes, I think there have been such cases.

111. Very inconvenient cases?—Yes.

112. With respect to the markets in streets, they are so held under the idea that the local authority has jurisdiction over the soil of the street; have there not arisen complaints of the use of streets for markets on the part of shopkeepers or others in the streets?—Yes, they have at times objected to that.

113. Have those complaints come before you in any shape?—No, they have not come before us.

114. Do you know whether they have been the subject of litigation?—I do not know.

115. You spoke of the character of the loans, and you said that they must be all repaid within 60 years; are those loans always paid in the nature of annuities so that an equal amount is spread over the term?—They must be paid off in one of three ways, either by equal annual instalments of principal, or of principal and interest combined, or by means of a sinking fund consisting of such a sum set apart in each year that the accumulations will pay the loan off within the period prescribed.

116. Does the Local Government Board favour either of the three?—The Public Health Act leaves it entirely to the local authority, and the Local Government Board therefore have no jurisdiction in the matter; but of the three ways they would rather prefer that the local authority did not take the last, namely, the sinking fund, because there is always a risk where there is a sinking fund of its being used in circumstances of emergency for some other purpose.

117. I suppose you would rather favour what the Treasury always favour, the payment by annuity?—We should.

118. (*Sir James Corry.*) When a local authority applies to the Local Government Board with reference to the establishment of a market is that granted by provisional order?—No, a provisional order would only be necessary if it was desired to purchase land compulsorily.

119. Not for the establishment of the market itself?—The actual establishment of the market would not directly require the sanction of the Local Government Board at all. Indirectly it would, because a loan would no doubt be necessary for the purpose; but it would only be in connexion with the borrowing of money that the Board would have any authority in the matter.

120. Have you many applications for provisional orders in that way, so as to enable them to borrow

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money?—The order would not be provisional if it was only for the borrowing of money; it would be merely an application for the sanction to the borrowing of money. A provisional order is an order which only takes effect after it has been confirmed by Parliament. There are not many applications with regard to sanctions to loans for market purposes. I think there were about 30 cases in the last three years.

121. Are there any free markets at all now?—I do not know.

122. You do not know whether in the case of markets held in private buildings the tolls are always levied?—No.

123. Of course you have no knowledge of how these things are done in Ireland?—None at all; they do not come under our notice at all.

124. (*Mr. Childers.*) Has any case come before the Local Government Board in which, either under charter or prescription, or perhaps under special statute, there is a power to levy a toll on marketable goods at the entrance to the district, although the goods do not go to the market?—I do not think that case has come before the Board.

125. (*Sir Thomas Martineau.*) I do not think that you called attention to the statutory provision as to the settlement of disputes about stallages?—That is in the Markets and Fairs Clauses Act, the 39th section of which provides that if any dispute arises concerning a stallage rent or toll, a justice, on application, is to determine the dispute, and to make such order as he thinks is necessary, and, in default of the payment of the money awarded, the money and costs may be levied by distress.

126. Have you any information as to the extent to which this section is used?—I think none at all.

127. Nor as to the character of the court?—None at all, I think.

128. May I ask whether you have ever had any complaint at the Local Government Board of the jurisdiction of the magistrates in this respect?—No, I think not.

129. I presume that in the local Bills there have been powers taken for the compulsory purchase of market rights?—Certainly.

130. Have you formed any opinion whether it would be desirable to take a general Act giving such powers to local authorities?—I am not aware of any reason why if they may be allowed to purchase land compulsorily they should not be allowed to purchase rights as well.

131. With reference to the amounts received by local authorities, you have given us the total amounts received, and in several cases the amounts received by different boroughs, and also the charges upon them, but not including the charges for the sinking fund and the interest; are you able in any way to show what the net amount would be either as to the boroughs in the aggregate or as to any of those particular boroughs, after taking both the outgoings and the charges for the debt?—That has not been done at present in the returns which have been prepared, but it would be possible, I think, to do it. It could only be done by going through the loan returns in each case (the local authorities make returns in respect of their loans), and taking out the amounts with regard to the markets.

132. But do you think that it could be done in the Local Government Office?—It would be a very heavy business to do with regard to all the boroughs. There would be no difficulty in doing it with regard to particular cases.

133. (*Lord Balfour.*) It would be better done, would it not, by reference to the boroughs themselves?—Yes; but it would require a good deal of checking.

134. (*Mr. Childers.*) Market tolls are not mortgaged, I think?—They are not.

135. Therefore these loans are part of the general loans?—That is the point; they are a part of the general indebtedness of the local authority.

136. (*Sir Thomas Martineau.*) But although they are not mortgaged themselves, is it not the case that when a corporation goes for the issue of an amount of corporation stock the income which is received from the market tolls is often included as one of the assets which is offered to the creditor as security for his debt?—Yes, when I said that the tolls were not mortgaged I was speaking merely of the power which is conferred under the Public Health Act, which does not give any power for that purpose; but no doubt it might be one of the matters looked to by the lender of the money.

137. Have you not known of cases where it is specifically mentioned as being part of the security offered?—Yes, I believe there are such cases.

138. (*Mr. Elton.*) I understood that you divided the markets as those arising by charter, prescription, or local Act, and those under the general statute?—Yes.

139. You have given us the number under the general Act, is it possible to state how many market rights and franchises exist under the other headings such as prescription and charter? Is it not the fact that there are a large number of manors having the right to hold markets which are not necessarily in use at the present moment?—Certainly that might be so, but there would be some difficulty of course in obtaining information with regard to those cases. I apprehend that the only way of doing it perhaps would be by information being obtained from the local authorities as to what cases there were of that kind in their neighbourhood.

140. A market right is a kind of franchise that would be lost by long disuse?—No doubt.

141. Therefore, if there had not been a market in the district for a long time, you would presume that none was likely to be put into operation, though you could not actually say that there was none?—Quite so.

142. Most of the borough markets, I presume, are prescriptive?—Yes.

143. And the rights of a prescriptive market would be larger than those of a statutory market?—No doubt.

144. Do you suppose that as a general rule the borough markets are larger in point of power than the modern statutory markets? As the Right Hon. gentleman suggested to you, sometimes they can prevent your dealing in your own shop on market day?—Certainly. What I was thinking of was whether you could say that that was so generally.

145. They might or might not be liable, but in many cases they are?—That is so.

146. The case of Taunton, for instance, was mentioned in a debate lately; is not that one of the places where you cannot sell in a shop on market days without a license from the authority?—I believe it is; and that is one of the markets of which you are speaking, which was acquired by prescription.

147. That is one of the most ancient markets?—Yes.

148. It dates from times long before the Norman Conquest. It is said to be very ancient, and that is a place where the monopoly is stated to be very severe, is it not?—Yes; and it is not in the hands of the local authority. There are market trustees there, I think.

149. There are cases, are there not, where the markets belong to charities in the boroughs?—Yes, to charitable trustees.

150. Do you recollect any examples of that?—The Ecclesiastical Commissioners, for instance, hold a certain number themselves.

151. And small local charities?—Yes.

152. One example will be enough to raise the point. Are you aware that there is a claim, for instance, at Taunton, that a charity is interested in the possession of the market?—I am not familiar with the Taunton case.

153. I do not say that they are, but there is such a claim there, and there might be other cases of the same kind?—Yes.

154. When did the grants of markets by charter cease, so far as you know?—I do not know precisely when they ceased.

155. They were continued into modern times, I suppose?—Yes.

156. I mean, at any rate, into the last century?—I think not so late, but I am not sure.

157. It is not a very ancient thing that has been obsolete for a long time?—No.

158. With regard to the difference between fairs and markets, you said that fairs were great markets held at longer intervals than ordinary markets; those fairs are generally held on a particular feast day in the year, are they not?—They are.

159. Are they generally held on one Saint's day in the year, or on more than one?—I ought to say that we have very little information with regard to the fairs themselves; they do not come under the jurisdiction of the Local Government Board.

160. I was only trying to make your answer clear. A fair is a large market held on some named feast day, or feast days in the year?—What I intended to say was that it was a large market held at a comparatively longer interval than the ordinary market.

161. It is generally held at least once in the year, is it not?—Yes.

162. And on the same day in the year?—Certainly.

163. (*Mr. Little.*) And on following days very frequently?—Yes.

164. (*Mr. Elton.*) The day before a feast day and the day after, or during the octave, as they call it?—Yes.

165. You have not found an exact authority for the statement that a fair is a great market?—I think that a fair is a market. I looked for an exact legal distinction between a market and a fair, and that I could not find.

166. On the other hand, the text books state, do they not, that a fair is a great market?—Yes.

167. The difference between tolls and stallages you explained, I think; the toll is payment for passing on, to, or over the land, is it not?—Yes.

168. And the stallage is for occupying the surface of the land?—That is so.

169. And that includes pickage for breaking the soil, does it not?—Yes.

170. And those stallages and pickages are the fruits of a market franchise, which are real property, and descend like other land, do they not?—I believe so.

171. Are the market courts that used to be held, obsolete; I am thinking of the case of Bristol. Do you recollect whether there is a court held at Bristol?—I have not any information on that subject.

172. That would be part of the accommodation provided for the market?—Yes, I presume so.

173. In some of those cases where there is no accommodation they might, till lately, have held a market court, might they not, by way of accommodation?—Yes, but the statement that certain local authorities have no accommodation is taken from their own return as to what they have done.

174. You are acquainted with the system of having a court for remedying the abuses in a market, called the Piepoudre court, which is obsolete, except perhaps at one or two places, such as Bristol?—No.

175. You said that, no doubt, private individuals take tolls without giving accommodation. Can you say why you have no doubt upon the subject?—The return gives such cases. There is one case that I happen to see in which the market rights belong to private persons; the receipt is in that case extremely small, but there it is stated that there is no accommodation provided.

176. What you intended to convey by the answer about there being no accommodation refers to the present condition as stated by the parties themselves, and does not go back to the origin of the market?—

Not at all. It is merely intended to be a statement based upon the return furnished by the local authorities.

177. There are provisoes, I presume, for dealing with the misuse of the market rights; you have said, I think, that there was an action; was there not another proceeding, an inquisition *ad quod damnum*; has that come within your experience?—That has not come within my experience.

178. You do not say that there might not be an inquisition as well as an action?—No.

179. In the natural course of things, if there was a misuse of the franchise there would be an inquisition or inquest?—I have not any information about that.

180. The action against a person for selling things in a market is based upon depriving the plaintiff of his toll, is it not; that must be the cause of action?—Quite so.

181. And therefore that would explain your answer that it would only be if there was a market convenience that the market right must not be infringed?—Certainly.

182. If it was not market day he would not be depriving the plaintiff of his toll by selling the article?—Quite so.

183. Have you any knowledge of exemptions from market tolls; are there any classes of persons who are exempt now, or are the tolls imposed upon every one who comes to market?—I have no record of the exemptions.

184. (*Mr. Charrington.*) Have you any return, or are you aware of how many markets there are that have been established by grants or charters from the Crown?—Only so far as Mr. Bradlaugh's return gives information of that kind, and that shows that in boroughs there are 89 cases where markets have been acquired by charter, and one which is not in a borough. That number probably is not strictly correct, because in the return they deal with cases where the right has been conferred by charter, and they also put those in where the statutory powers had been given afterwards. They do not keep the two classes of cases distinct.

185. They do not keep those cases distinct where the markets were originally established by charter from the Crown?—No.

186. (*Mr. Little.*) Can you tell me whether there is any distinction in the position of buyer and seller in a market and in a shop in the ordinary course of trade, and if so, what the distinction is?—I am not sure that I appreciate the question.

187. Is there any difference in the position of a buyer and seller buying and selling in a market or buying and selling in the ordinary course of trade over a counter, in respect of the thing bought?—The buyer acquires the property in it apart from any defect in title, if it is a purchase in market overt, but then he would do that I apprehend if he purchased it in a shop in certain places.

188. Then there is no difference?—I am not aware of any in those cases.

189. The markets have been said to be established by charter or prescription or by special statutory enactment; I suppose the former would be ancient and the latter generally modern?—Certainly.

190. Are any of the local Acts very old, or have they generally been passed within the last hundred years?—Those which have come under our notice have, I think, been within the last hundred years.

191. They have been generally modern?—Yes, generally modern.

192. I observe that a number of these markets were established by local private Acts, and not under the general Act; would those which were established under local Acts generally have been established before these powers were given by the Markets and Fairs Act or the Public Health Act?—No, not always. A good many local Acts have been obtained since the grant of powers under the Public Health Act.

193. The local authority would want to get some other power besides that of establishing a market,

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and they include the whole in one Act?—That would be so.

194. It is not on account of there being a difficulty in establishing a market under the general powers?—No; I think it rarely happens that a local authority goes specially for a market Act by itself; but going for other matters it would include this, being desirous of securing all their requirements by one Act, and there would be also, of course, an opportunity when doing so of endeavouring to obtain some larger powers than the general law would give.

195. I do not exactly remember the case, but do you recollect whether at Cambridge they did not get an Act on purpose to buy a market or to erect a market?—Yes, they did. There was a decision about that.

196. I think that was in consequence of some peculiar rights of the University, or in consequence of some difficulties?—The Corporation of Cambridge are not the urban sanitary authority.

197. With regard to the power of the Local Government Board as to tolls, I did not quite understand whether the Local Government Board had any power reserved to themselves to revise tolls or byelaws where a market has been established by a local Act?—Not unless it is conferred by the local Act.

198. They have no general power?—No, but, of course, in modern Acts those powers are usually given.

199. With regard to those local authorities that have to apply to the Board for power to levy tolls, are the tolls sanctioned by the Board proposed by the local authority?—Yes, always.

200. And I suppose they would be rejected by the Board if they were exorbitant?—Yes.

201. Are those tolls generally tolls on articles by measure, or weight, or number, or tale?—Yes.

202. Not *ad valorem*?—Generally by size or by measure, or by number or by weight.

203. Do you know whether the owners of the markets are under any obligation to provide accommodation?—They would be, no doubt, liable for any injury done from want of proper accommodation in any market which they possessed. There was the case of *Lax v. the Mayor of Darlington*, where they had erected some railings round a statue in the street, and the plaintiff had brought cattle into the market, and a cow endeavoured to jump over the railings and was killed; and it was held by the court that the owners of the market were under an obligation to keep the market place free from danger to those who frequented it, and that consequently there was a liability in respect of the loss sustained by the imperfect condition of it.

204. Then by common law the owner of the market has some duties to those who frequent the market?—Yes.

205. You were asked a question as to the power of justices in cases of dispute; do you know how far that power would go? The justice could only decide upon facts?—I should say that we have never, so far as I am aware, had any cases brought under our notice in relation to that provision.

206. It would be a dispute, I suppose, as to whether the toll was properly charged and properly demanded, but not as to the right of the authority to take the toll?—I apprehend that the section was intended to deal with cases where there was a dispute as to the amount of the toll.

207. Is there any power in the Local Government Board or in any other authority to regulate the amount of the toll in cases of markets held by charter?—Only if they apply.

208. Supposing that there were complaints that the tolls in a market held under charter were excessive what remedy would there be?—The Local Government Board would have no jurisdiction in the matter at all.

209. It would be by action then?—It must be settled by a court of law.

210. (Mr. Harwood.) Pursuing the last question a little more fully, if a town, council for instance, come to the Local Government Board to obtain power to take a market, and allege want of accommodation and facilities, do you compel them to provide such facilities as are satisfactory to you before you grant the loan?—The object of the loan would be to enable them to provide the market, or to make extensions of it; and there would be a local inquiry, and the merits of the application would be considered at the inquiry, and if it appeared that the proposal was insufficient the loan would not be sanctioned.

211. Then you must be satisfied that this extension is about to be a local benefit, and being a local benefit to the district, you believe that it will facilitate and cheapen food for the people, because that case must be made out to you before you would sanction the expenditure of the money. Not only has the building, I suppose, to be worth the money which you are about to lend, but the building or buildings must be suitable for the object proposed to be attained, and that is the bringing of food into the market, and the proper distribution of that food among the people, and the cheapening of the food. Are those elements which you take into consideration in giving permission for the lending of the money and the acquisition of the property under those conditions?—The way in which it usually comes is that there is a deficiency of accommodation, and that being shown, the Board sanction a loan.

212. Supposing that this property remained in the hands of a private owner, and that it was self-evident to everybody who looked at it that the private owner was not making the provision that was necessary, and that instead of enlarging the market out of his receipts, he allowed the market to extend upon the streets, as in the case that was given last week in regard to Billingsgate Market, have you any remedy against a private owner who is not providing suitable accommodation for the goods which are brought into the market, and who yet is taking the toll for those goods and not providing suitable accommodation? Would a private citizen have any redress who came to the Local Government Board and made complaint that neither was there sufficient accommodation for the producer to bring his goods into the market nor was there sufficient facility when he brought them in for exposing the goods, nor was there sufficient accommodation for the public to purchase the goods?—The Local Government Board would not be able to help him at all; they would have no jurisdiction in the matter.

213. Then the Local Government Board require more at the hands of the local authorities than they require at the hands of a private owner of a market?—The Local Government Board would have no power with regard to the owner of a private market; they would only have power with regard to local authorities, because their sanction would be necessary to enable the local authorities to borrow money to carry out their proposal, and therefore they would deem it their duty to examine that proposal; but they have no compulsory power over the local authority in the matter; that is to say, that supposing a local authority were negligent in providing accommodation, the Local Government Board would have no power to compel them to do it.

214. But you would have power over them in the first instance, and for the purposes for which they borrowed the money?—We should have power to say, We will not sanction that loan.

215. But you have no power to interfere with an ancient right?—Quite so.

216. You said that in three years you lent 150,000*l.* to forty different local authorities; were those local authorities satisfied to come to London and spend the money and have all the expenses of your Commissioner going down to inquire into these matters when forty local authorities only borrowed, after all the inquiries, 150,000*l.*? Have you no complaints about this great cost and great trouble?—The expense is

exceedingly small. It is not necessary for them to come to London at all in connexion with any such matters. They apply by letter, and an inspector is sent down to hold an inquiry. The only costs which is charged on the district are the personal and travelling expenses of the inspector, and they amount only to a few pounds.

217. They have not to come up to London then and make a representation to the Local Government Board?—No.

218. Can you tell us how it is that the metropolis is excluded from the jurisdiction of the Local Government Board?—The authorities with which the Board are concerned, so far as relates to this matter, are the urban sanitary authorities, and there are no sanitary authorities of that kind in the metropolis at all; the metropolitan authorities are separate and distinct bodies which were not created under these Acts which the Board administer, namely, the Public Health Act, and the Acts for which that Act is substituted. So far as certain matters are concerned, of course, the Local Government Board have jurisdiction in the metropolis, for instance, in poor law matters.

219. (*Lord Balfour.*) One of the subjects referred to us is this: in what ratio market tolls and dues stand to the value of the marketable commodities on which they are levied; is that an element which the Local Government Board are in the habit of considering when they have to give their sanction to the tolls brought before them by the local authority?—It is very difficult for them to do so. They are obliged to consider the application made by the local authority when they send up their tolls, and they endeavour, in the first place, to put the charges into proper form. They are often extremely defective

in the matter of form. They charge so much for a small basket and so much more for a large basket without saying how it should be determined whether it is a large or a small basket.

220. (*Mr. Elton.*) A penny per pot for butchers' meat?—Yes.

221. (*Lord Balfour.*) It is obvious to everybody that a small basket may contain a much more valuable commodity than is contained in a large basket?—Yes, but the table of tolls would describe what was to be in the basket; a basket of vegetables, for instance.

222. Have you any means of saying that the tolls and dues which you fix stand in any ratio, which is capable of being tabulated, to the commodities which are sold?—I do not think it is capable of being tabulated.

223. Is it possible to fix tolls according to the value, *ad valorem* tolls?—I think it would be a very difficult thing to do.

224. On the other hand it is obvious that if a heavy toll is put upon an article of low value it causes a much more serious interference with trade than if the toll is only a small proportion of the value of the article?—The toll, of course, is regulated according to the nature of the article upon which it is levied. They would charge, for instance, so much for bringing a horse into a market, and a less sum for bringing a sheep, and so forth, so that in that way the amount of the toll does, undoubtedly, have relation to the value of the article.

225. Of course, horses, for instance, may vary very much in value. I was referring rather to commodities than to animals?—The tolls on commodities would vary according to what the commodity was.

The witness withdrew.

Adjourned to Thursday next at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

SECOND DAY.

Monday, 21st November 1887.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

SIR THOMAS MARTINEAU.
MR. CHARLES I. ELTON, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. WILLIAM C. LITTLE.

MR. T. BARCLAY COCKERTON, *Secretary.*

Mr. H. A. ROBINSON examined.

226. (*Chairman.*) I believe you are one of the inspectors of the Local Government Board, Dublin?—Yes.

227. Can you tell us what is the number of towns in which markets and fairs are now existing in Ireland?—There are 334 markets at present in Ireland; at the time of the Commissioners' Report in 1851, I see there were 349. At present there are 793 places where fairs are held.

228. Does that include the markets?—It does not include the markets. There are 334 market towns, and in each of those towns fairs are also held; but the total number of fairs in the country and in the towns is 793, so far as I can make out,

229. Can you tell us how markets and fairs are established, and under what authority they are held?—The markets are held by the governing bodies of towns, by the sanitary authorities under the Public Health Act, by certain towns under special Acts of Parliament, and by special clauses in charters of incorporation to public bodies, and by letters patent to private individuals. By far the greater number are held under letters patent to private individuals.

230. Has the Local Government Board any authority over fairs?—We have the power to alter the fair day on an application from any persons interested; and we also have the power under the Act recently passed, the Markets and Fairs Weighing

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Act, to exempt persons from providing weighing accommodation if we think fit. These are the only powers that we have with regard to fairs.

231. Can you tell us what is the proportion of markets owned by private persons to those owned by local authorities?—I have been unable to ascertain that accurately; the Local Government Board have no means of ascertaining the exact number; but a very large proportion of the markets,—I suppose, over 250,—are held by private individuals.

232. Has any legislation on the question of markets and fairs taken place since the Commissioners on Fairs and Markets reported in 1851?—There has been no legislation affecting the markets held by private individuals, and those markets remain in precisely the same state as they were in at that time; but there has been some legislation with regard to markets held by corporate and other bodies.

233. Can you state what that legislation is?—I can give you a brief account of it. The first Act that was passed on the subject after the Commissioners reported in 1851, was the Local Government (Ireland) Act, 1871. The only section of that Act that had reference to markets, was section 10. That section empowered, under certain conditions, the governing body of any town to establish markets, and for this purpose, and to enable the governing body to regulate the markets already established it incorporated certain provisions of the Markets and Fairs Clauses Act, 1847, in so far as the same relate to markets; viz., (1.) With respect to the holding of the market or fair, and the protection thereof, sections 12 to 16; (2.) With respect to the weighing of goods and carts, sections 21 to 30; (3.) With respect to the stallages, rents, tolls, &c., sections 33 to 41; and also (4.) With respect to byelaws, sections 42 to 49. The markets established under this Act were subject to the proviso that all tolls leviable in pursuance of the section should be approved by the Chief Secretary. It will be noted that by this section the approval of any public department was not necessary to the establishment of markets; the governing body could establish the markets, and all that was necessary was that the tolls should be approved by the Chief Secretary. By section 44 of the Markets and Fairs Clauses Act, byelaws were first to be allowed by the justices at quarter sessions, and then to be finally approved by one or more of Her Majesty's principal Secretaries of State. That is one of the clauses incorporated. The next Act relating to markets was the Local Government Board (Ireland) Act, 1872. The only operation which that Act had with regard to markets was that it transferred the duty of approving tolls from the Chief Secretary to the Local Government Board. Then the Public Health Act of 1874, by section 33, transferred to the Local Government Board the powers vested in one of Her Majesty's principal Secretaries of State under section 44 of the Markets and Fairs Clauses Act, 1847, with regard to the approval of byelaws; but left it still necessary for the justices in the first place to allow the byelaws. Then comes the Public Health Act, 1878, which is the Act under which all markets are now established. This Act repealed the Public Health Act, 1874, and also section 10 of the Local Government (Ireland) Act, 1871; and it incorporated those provisions of the Markets and Fairs Clauses Act which had been incorporated by the latter Act, with the exception of the provision relating to byelaws (saving section 42). The Public Health Act, 1878, sections 219 to 223, contains, however, provisions regarding byelaws, and makes the Local Government Board the sole confirming authority in numerous cases, among them being markets. Section 103 of the Public Health Act, Ireland, is the section relating to markets; and it will be seen, (1.) That of governing bodies only those who are also urban sanitary authorities have now the right by statute to make byelaws relating to markets (excepting, of course, any urban sanitary authorities that have local Acts with regard to markets, as many of them have), or to establish new markets and to exact

tolls; (2.) That the byelaws must be in relation to markets belonging to the urban sanitary authority making the byelaws; (3.) That the tolls are to be approved by the Local Government Board; and (4.) That the establishment of new markets, &c. must also receive the sanction of the Local Government Board. This is all that was done by the Act of 1878, and it is this Act under which all markets are held now by urban sanitary authorities. I might, perhaps, explain that in Ireland (I am not sure whether it is the same in England), urban sanitary authorities exist in towns with a population of 6,000.

234. What authority exists for establishing markets in towns of less than that population?—None for establishing markets.

235. (*Mr. Little.*) Is the whole country divided into urban sanitary districts and rural sanitary districts?—Ireland is divided into poor law unions, and every union is the rural sanitary authority for its whole district, except where there is a town with a population of 6,000.

236. Exactly the same as in England?—I was not aware of that. I have now mentioned the only general legislation which has taken place. There have been a few private Acts passed for certain towns.

237. (*Chairman.*) What has been done by the Local Government Board under the powers conferred on them by those Acts?—Two things have been done. In the first place, loans have been made; and, in the second place, certain byelaws and tolls have been approved. Since the passing of the Act a loan of 4,000*l.* has been made to the urban sanitary authority of Banbridge. Of this loan, 2,500*l.* was for the purchase of tolls, and 1,500*l.* for the erection of markets. The patent was granted to Lord Hillsborough, the ancestor of the present Marquis of Downshire, from whom the tolls were purchased. In Carlow a market place was constructed, for which a loan of 500*l.* was obtained in 1831; in 1885 a further loan of 850*l.* was obtained; and again in 1886, a further loan of 600*l.* was obtained for the completion of a town hall and market-place. Then in Dromore a loan of 3,500*l.* was recommended by the Local Government Board for the erection of a court house, for the purchase of market rights, and for providing a market-place. The erection of the court house cost about 1,000*l.*, and 2,500*l.* was paid for providing a market place, and for the purchase of the market rights. The markets belonged to Mr. Dickson, and his rights were purchased out for that sum. In Dungarvan, a loan of 200*l.* was granted for the erection of markets. In Newtownards, 1,000*l.* was advanced for increased market accommodation. In Portadown, there was a loan of 800*l.* to pay off liabilities, and to finish works connected with the new markets. It will be convenient to mention here that the Public Health Act deals with all sanitary matters, burial board matters, and markets; and for any of these purposes, money can be advanced by the Local Government Board, and land can be acquired. Those are the only sums that have been passed by the Local Government Board under those Acts. Then with regard to the byelaws confirmed by the Local Government Board, under the old Act of 1874, byelaws were approved in Cashel, Maryborough, Newtownards, Roscommon, and Strabane. Under the Act of 1878, the present Act, byelaws have been approved by the Local Government Board in Banbridge, as to markets in 1882, and as to tolls in 1885; in Bray, as to markets and tolls; in Carlow, as to markets and tolls; in Clonmel, as to a butter market, byelaws, and tolls; in Coleraine, as to markets and tolls; in Drogheda, as to markets, and a second byelaw establishing a second market day; in Dromore as to markets and tolls; in Killarney, as to markets and tolls; in Portadown, as to markets and tolls; in Wexford, as to markets and tolls; and in Warrenpoint, as to markets. The proceedings taken by the Local Government Board in the event of an application under the Public Health Act, 1878, to sanction tolls or to agree to byelaws

is this: The application is made by the owners of the markets. The Local Government Board then submit these suggested byelaws to the legal advisers on the question of law. Then they are transmitted to the inspector to make local inquiry, and the inspector makes the inquiry as best he can; he visits the town, and ascertains the views of the people, and reports to the Local Government Board, and they forthwith approve or disapprove, as the case may be.

238. To what extent are the local authorities subject to the Local Government Board?—Only in regard to the making of byelaws and tolls. The local authorities can make no new byelaws without the approval of the Local Government Board; but of course in regard to old byelaws, the Local Government Board have nothing to do.

239. You have told us what are the regulations for making market byelaws and tolls; and you have stated what applications have been made to the Local Government Board. Have the local authorities power to purchase land compulsorily for market purposes?—They have.

240. What is the manner of proceeding?—The Public Health Act authorises land to be taken compulsorily for all the purposes of the Act; and the acquisition of markets is one of the purposes of the Act. The course of procedure is that application is made to the Local Government Board, and the Local Government Board then issue advertisements in the local papers, stating that this is proposed to be done. They direct their engineering inspector and their general inspector to hold an inquiry; due notice is given of this inquiry, and all persons in favour of or against the project are heard; and if the Local Government Board on the evidence before them, consider that there is a case made out for the establishment of a market, they have then the power to issue a Provisional Order for the acquisition of the land; and this Provisional Order must be confirmed by Parliament. That is the course of procedure for the acquisition of land for any of the purposes of the Public Health Act of 1878.

241. Connected with the question of compulsory purchase of land, is that of borrowing powers; can you tell us what borrowing powers the local authorities have, either for the purposes of purchase or for other purposes connected with markets?—They can borrow money for any of the purposes of the Act, subject to the approval of the Local Government Board, after inquiry and due advertisement. The expense of obtaining land for the purposes of the Act and getting these borrowing powers is rather heavy, in consequence of the Provisional Order having to be confirmed in England; inasmuch as, in many cases, if there is opposition, the fighting before Committees of Parliament costs a good deal.

242. Is there any limit to the borrowing powers?—The Local Government Board may agree to any sum that they think fit, subject to the restrictions of the Act.

243. What is the restriction?—The amount to be borrowed must not exceed twice the valuation of the district.

244. Have they also power to fix the form of repayment?—Yes, that is fixed under the Public Health Act at 50, 40, or 30 years, according to what the Local Government Board think will be suitable to the requirements of the district.

245. Are many applications made for this purpose?—There have been eight applications so far under the Public Health Act.

246. That is to say, in the last nine years?—Yes, since 1878.

247. To large amounts?—The amounts vary from 4,000*l.* down to 200*l.* But there are very heavy applications before the Local Government Board now. I think the Dublin Corporation are going to buy all the vegetable markets and the fish markets, and the amount they will require will be very large; they have not absolutely decided what it will be, but it will be over 20,000*l.* I think.

248. What security is given for those loans?—The security is the security of the rates on the area of charge which may be fixed for the particular work.

249. The rates of the district generally?—Yes.

250. Can you give any instances where tolls are received, but where no accommodation is provided in return?—Yes; with regard to private owners, it would not be difficult to do that. With regard to the public market, I can give you an instance. I find that at page 14 of the Report of the Commissioners on Fairs and Markets in Ireland, they say: "A somewhat striking instance of the inherent evil of the present system, and how little remedial measures of the legislature can effect, so long as the foundation on which they are based is still undisturbed, may be seen in the case of Athlone. By the 'Athlone Markets and Customs Act,' passed last session, sec. 18, the Town Commissioners have power to build market places, &c., but it is provided, that until such new market places, or places for fairs, shall be opened for public use, it shall be lawful for the said Commissioners to demand and levy in respect of the present fairs and markets, within the limits laid down in the Act, the tolls, duties, and customs they are authorised to levy, not exceeding the rates specified in the schedule attached to the Act." Then in the next paragraph they say: "We do not find that the Town Commissioners have ever taken any steps to provide proper market accommodation. The fairs and markets are held in the streets, which are exceedingly narrow, and the thoroughfare is thereby entirely blocked up on market and fair days. The accommodation for weighing grain is quite insufficient, and in consequence the greater part is weighed at the merchants' stores. The tolls and customs specified in the schedule attached to the Act have been let to a toll-farmer, by the six months, for 100*l.*" That was the state of things in 1851. An Act was passed in 1850, authorising the Athlone Commissioners to build market houses, and, until those houses were built, to levy tolls. I made inquiries at Athlone, and I found that they have not provided any accommodation yet, although that is 37 years ago.

251. (*Mr. Little.*) Do they still receive the tolls?—They still receive the tolls. I wrote to the clerk of the union there, and asked him these questions: "Are the markets held in the streets of the town?" The answer was "Yes." "What market accommodation has been provided by the Commissioners since 1851?" "None." "Is corn sold in the market weighed in the merchant's stores or on the public scales?" "In both." "Are the market tolls let or leased, and, if so, upon what terms?" "They are let by tender half yearly; the average is about 250*l.* a year"; so that they get about 250*l.* a year.

252. (*Chairman.*) And they give nothing in exchange?—Nothing whatever, according to that. There may be many other instances, but those are not under the Local Government Board at all, and are not subject to us, and it is very difficult to obtain information.

253. You have no control over those cases?—We have no control over markets held under special Acts or by private owners.

254. And you have no means of calling for information about them?—No. The clerks of the unions are subject to the control of the Local Government Board, however, and when I was told that I was going to be examined before this Commission, I wrote to some of them about the instances of abuse that I saw mentioned in this report, to ask whether there had been any improvement, and I received a great number of replies, which I lay before you. Proper and correct information I think could only be obtained on the spot.

255. I suppose we must assume, from what you have said, that each of these markets is regulated by

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its own usages or by private Act or charter, and that no two of them necessarily correspond?—That is so.

256. Have any improvements been effected in the markets of Dublin or of Cork since the Report of 1851?—I wrote to Cork for information, and all the information that I got is this. At page eight of the Commissioners' Report, they mention that there is in Cork a "gateage toll," which toll is exacted on all descriptions of grain and produce entering the city and suburbs. The Commissioners describe a similar toll as being exacted at Galway, and they say: "The tolls are collected at the several entrances to the town, on all articles of agricultural produce entering or leaving the town, whether sold or not. The town commissioners were in the habit of letting these tolls by public auction, but at present they are in their own hands. The last time they were let they produced 1,700*l.* per annum. This toll is exceedingly unpopular. It is, in fact, a tax levied upon the agricultural produce of the surrounding country, for the purpose of defraying expenses, which should, in justice, be borne by local taxation; and no part of it is applied in affording any accommodation or equivalent to those who contribute almost exclusively to its production." I am informed that, in Cork, "The old 'gateage' toll dues and customs are still levied by the Cork corporation," and I have here a schedule of the gateage tolls which are collected. I asked the Cork inspector to tell me what has been done, and he says: "The corporation have somewhat improved the meat market; they have closed a few small vegetable markets (the trade of which had passed to shops), and they opened a bazaar for fancy goods and second hand clothing, but not for agricultural produce. Practically, however, nothing has been done since 1851, or indeed since the report of the municipal commissioners of inquiry on the city of Cork, dated October 29, 1833."

257. (*Mr. Little.*) Is that gateage exacted every day, or only on market days?—I think it appears to be exacted whenever the produce comes into the town, but I am not certain about it.

258. Then it is scarcely a market toll?—No. Then with regard to Dublin, some improvement has been made, but only very recently. When the Commissioners visited Dublin in 1851, they found, as appears on page 29 of their report, that there was no public corn market, and that all corn was sold by sample at the corn exchange on Burgh Quay. That exists at the present time. Then they give an account of the corn exchange. They say that the cattle market at Smithfield was in an extremely unsatisfactory state at the time of the Commissioner's report, and that it was practically in the hands of a few salesmen. Since that report, however, there has been a new cattle market established in the North Circular Road, a splendid market in every way, admirably conducted, and, so far as I can ascertain, it appears to give general satisfaction. There is ample room, and it is kept in a very satisfactory state. I have here a schedule of the stallages and rents and fees, in case you might wish to have it handed in. In addition to that, the Commissioners remark, with regard to the Dublin market, that "The general opinion appears to be that the present Act is sufficient to cure all glaring evils, if the Lord Mayor had the determination to set it in action, but that vested interests and established usages concur too strongly for an officer of one year to grapple with them, and when unofficial persons attempt any improvement, the crippled finances and cloud of compensations to be afforded, scare away all change. Thus matters are allowed to remain, every one dissatisfied, but no alteration is effected." That clause of the report was laid before the Markets Committee of the Dublin Corporation, on the 7th of June, 1886, and the Markets Committee reported then that it was very desirable to buy up all the old vegetable markets and the fish markets in the city of Dublin, and a scheme is now in course of completion to effect that end, of which scheme I can hand in

particulars. So that some great improvements have been made in the Dublin markets since that time.

259. (*Chairman.*) In the case of Cork, is there not a certain toll levied by the corporation on goods brought by rail to the harbour for shipment?—I only received that question from the Secretary yesterday, and I have not been able to ascertain the facts in relation to it.

260. You have not heard of any complaint arising out of that alleged practice?—I have not.

261. Have any complaints been addressed to the Local Government Board as to the tolls charged at Cork or elsewhere, on account of their being restrictive of trade?—No, because the Local Government Board would have no power to deal with them. The only markets, as I have already stated, which are under the control of the Local Government Board, are those established by urban sanitary authorities; and the byelaws are generally considered fair, and the tolls are also considered fair, and there have been no complaints touching them to the Local Government Board. In fact, the persons who have matters to complain of with regard to tolls levied by private owners, have no head quarters to make their complaints to.

262. With regard to the state of markets owned by private individuals, are you in a position to give us any information?—I have obtained all the information I can, but it is a matter of extreme difficulty to get information from anybody without visiting the different market towns. It will be seen on page 3 of the report of the Commissioners of 1851, that letters patent were in the reign of James I., and by each successive sovereigns, to certain persons to hold fairs and markets on specified days. The peculiarity of those patents was that no amount of toll was specified by them; but power was given to levy "the usual and accustomed toll," or "the reasonable tolls and customs established," or "the tolls, customs, privileges, profits, emoluments, &c., &c., to such courts, fairs and markets appertaining or belonging." The proprietor had apparently the power of levying exactly what tolls he liked. Then the Commissioners made inquiries, and it is not necessary for me to read to you all that they found out, but they found that very little was given in return for these tolls, and they specified certain places where the abuse was most glaring. I have made inquiries about the instances mentioned by the Commissioners of 1851, so as to ascertain how far the state of things then existing still continue. In Loughrea, I am informed, the markets belong to Lord Clanricarde, and they are let to a Mrs. Bridget Ryan at a rent of 230*l.*; a weigh-bridge was provided by the owner, but he makes the tenants keep it and all the scales and weights in repair; he contributes nothing to the cost of removing the refuse and cleansing the streets after the markets. No accommodation whatever of any sort has been afforded by the lord to secure hay, corn, or straw from rain, or to store any unsold produce. A large and commodious town hall, having good accommodation, was erected about 25 years ago, but Lord Clanricarde does not allow the public to have the benefit of it, or any access thereto. That Loughrea market was specially referred to by the Commissioners of 1851; on page 16 of their report they say: "In several places, custom is charged on fowls, eggs, butter, milk, fish, apples, and small quantities of provisions brought into market by countrywomen in baskets in their hands, even though such articles be not enumerated in the schedule." That is the only information that I have with regard to Loughrea. As to Nenagh, I find that as at the time of the Commissioner's Report the fairs were held in the streets, that nothing is contributed by the owner of the markets towards the cleansing of the streets after market days, that the tolls are leased, and that they are collected on fair days and on every Thursday, which is a market day. In Sligo the markets are in the hands of the corporation, the tolls are collected by the corporation, and the

byelaws are sanctioned by the Local Government Board. In Castlebar proper accommodation appears to have been provided, but nothing is given by the owner except the fair green; the tolls are let, all the markets are held in the streets there still; and nothing is contributed by the owner of the markets towards the expense of cleansing the streets after the markets, except in the way of town rates. The market accommodation in Castlebar is complained of, and a great many people think it insufficient. In addition to the tolls which are levied, there is a craneage fee from 1*d.* to 2*d.* In Gort Town, which was complained of by the Commissioners of 1851, at the time of their report, some improvement appears to have taken place. I see that some of the tolls in the schedules are not charged at all, and in the case of others a less amount than is mentioned in the schedule is levied. The accommodation appears to be considered sufficient there, but nothing is paid by the owner of the markets towards the cleansing of the town after the markets. In Skibbereen, the tolls are collected every day apparently, whether market day or not. There are two markets in Skibbereen, belonging to different individuals. The markets belong to Sir Henry Becher and Mrs. Mundy; the latter portion is given by Mrs. Mundy gratis to the town commissioners, and the first is leased to them. The tolls are collected every day, and the clerk of the union also informs me that tolls are collected on all articles brought in for sale, no matter what they are. Corn is not brought into the market at all, but is sold at the different stores. That was greatly complained of by the Commissioners; they said that the merchants did not weigh fairly, and that all the market was against the seller, and in favour of the buyer. That abuse, it would appear, still continues. But there is a regular market place, and the proceeds of the market are devoted by the Commissioners to the lighting and watching of the town, and not, apparently, to the providing of better accommodation. In Westport, which was mentioned in the Report of 1851, good market accommodation has been provided, and the town commissioners pay all expenses. The market there belongs to Lord Sligo, but he provides nothing towards the cleansing of the town or of the market place.

263. (*Sir Thomas Martineau.*) Is the market held in the street?—The street widens, and the fair is held in the wide part of the street. The tolls are let from year to year, but not under lease. In Ulster, of course, like everything else, the markets are managed better. In Enniskillen, the markets are in the hands of Lord Enniskillen, the markets are kept clean at his expense, and cattle are not allowed to be sold in the streets. In Coleraine the markets are in the hands of the town commissioners, and they appear to be well managed. In Londonderry, also, the markets are in the hands of the town commissioners, and are well managed. In Strabane, which was specially referred to in the Report of 1851 as a sample of a well conducted market, the markets are well conducted now, and appear to give satisfaction. In Letterkenny the markets appear to be managed well. In Athlone, as I mentioned before, they have a special Act, and the Act provides that accommodation must be provided, and gave them power to levy tolls until it was provided; but nothing has been done. That is nearly all the information that I have been able to get with regard to markets, and although it is not complete, I think it affords an indication that the abuses complained of to a certain extent continue. It is a notorious fact, that in nearly every town in Ireland, I think (excluding Ulster), where markets are held by private owners, they are almost always held in the streets, and that there is very little market accommodation at all, but that the markets are generally leased to somebody who makes what he can out of them. I hardly feel qualified to give any opinion as to whether very great dissatisfaction is felt with regard to the markets, because they are not under the Local Government Board in any way, and I have only been able to

ascertain the views of one side, not having had an opportunity of hearing the views of the owners of the markets.

264. (*Mr. Charrington.*) Has any Government since the Report of 1851 ever attempted to deal with these complaints?—Since 1830, something has been done. In 1826, a Select Committee of the House of Commons was appointed to consider the return of tolls and customs taken in seaports, fairs, and markets in Ireland, and reported that the subject required the most serious and earnest attention. In 1830 another Committee sat, and reported that the evils and abuses practised should not be allowed to continue without an early and effectual remedy, but nothing was done. In 1835 the Commissioners appointed to report on the state of the municipal corporations in Ireland says: "We cannot conclude our remarks on this branch of the inquiry without observing on the necessity that appears to exist, as far as our observations extended, of a thorough revision, by legislative authority, of the entire system." Nothing was done then. Then the concluding paragraph of the Report of the Commissioners of 1851 on the state of Fairs and Markets will repay perusal. It describes the state of things which then existed, and it ends thus: "The immediate correction of the abuses we have endeavoured to describe, is essentially requisite; and both the mercantile and agricultural classes entertain the most anxious hope that when Her Majesty's Government are made fully acquainted with the magnitude of the evils, they will be disposed to encounter the difficulties of their abatement." But nothing has been done with regard to private markets.

265. No Government has ever taken the question up?—No Government has ever taken up the question of private markets at all. Since this report was published, probably the abuses have become less glaring than they were; but that they prevail to a certain extent can be seen by the few instances that I have mentioned.

266. (*Chairman.*) But you are not in a position to give much information as to the markets that are in private hands, because you say that the Local Government Board has no power of control over them?—The Local Government Board has no power of control, and it is very difficult to get any information by means of correspondence. The only way in which that information could be properly obtained, would be by inquiry made among the market towns; and I think that if the Irish people in the market towns were aware that a Commission was sitting to inquire into the subject, they would hope very earnestly that some opportunity might be given to them of expressing their views. In a large number of towns, no tolls are levied at all; the people struck against the tolls in 1830, and a great many landed proprietors let them lapse; but it is nearly altogether in the poorer towns in the west and south-west of Ireland that these tolls are levied.

267. (*Mr. Little.*) The tolls are levied in the poorest parts?—In the poorest parts.

268. The Report contains a map showing the towns visited by the Commissioners where tolls were taken, and where they were not taken?—Yes. There are a great many others that are not shown.

269. (*Chairman.*) I suppose we may understand that scarcely any action has been taken locally upon this Report of 1851?—Nothing. I searched every Act, and there is no reference whatever to markets held by private owners. I do not think that it is generally understood that so large a proportion of the markets are in the hands of private owners. It was thought that the Public Health Act would provide an adequate remedy, but that only refers to a few markets that you could count on your hands.

270. At any rate, this very strong exposure of existing abuses came before Parliament 36 years ago, and has led to absolutely no result?—To absolutely no result, so far as private markets are concerned.

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271. (*Mr. Charrington.*) That simply arises, I suppose, from no Government ever having taken it up?—No Government has ever taken it up.

272. (*Chairman.*) And you are of opinion that accurate information as to the present state of things, where private markets are concerned, can only be obtained by taking local evidence on the spot?—That is my opinion. The only way in which it could be done would be by the Commissioners visiting the towns, and inserting advertisements in the local papers, stating that they were prepared to receive evidence from anybody on such and such a day, and hearing the evidence on the spot. The Commissioners of 1851, on page 13 of their Report, give an account of a market town in Ireland which will strike anybody as being a very accurate description. This is such a very faithful picture of an Irish market at the present day that, perhaps, I may be allowed to read it:—"We cannot conceive," they say, "that it was ever intended, when conferring patents, that the tolls should do more than indemnify the proprietor or patentee from loss in providing accommodation." Then they go on to say:—"We would, therefore, strongly recommend that any legislation on the subject should at once deprive these patents of their present character of personal or corporate monopolies, by defining strictly the nature and amount of the charges to be imposed, securing the application of the funds to market purposes; nor need we apprehend that there will be any superfluity of revenue which must needs be applied, as at present, to extraneous purposes, when we consider the present state of most of our Irish markets,—the filth, the confusion, nay, the actual danger,—women and children thrown down, the passengers obstructed by horses and cows, sheep and pigs, all indiscriminately mixed up together, or by the stall of an apple-woman, or the covered standing of some little vendor of calico and ribbons, who has erected his temporary shelter in the thoroughfare, whilst at every outlet, toll collectors, armed with bludgeons, are clamouring and enforcing their obnoxious claims." That is a very faithful picture of an Irish market.

273. (*Mr. Little.*) Of the present day?—Of the present day. It is almost impossible to get through a street while a market is going on, so great are the noise and the confusion caused by the cattle running about. There are other abuses to which the Commissioners of 1851 refer, as to the weighing accommodation, and the diversity of weights and measures. If they have been remedied since the Commission's Report, the reform has been entirely voluntary, I believe.

274. (*Mr. Charrington.*) Are there any other instances, besides that of the Dublin Corporation which you mentioned, of public bodies buying up these market rights?—The urban sanitary authority have the power to do that.

275. Do they exercise it?—No. The only cases that we have had at present, are cases in Ulster. The Banbridge Town Commissioners bought Lord Downshire's private rights for 2,500*l.* Mr. Dickson's rights in Dromore also were bought for 2,500*l.* Those are the only cases that we have had since the passing of the Public Health Act.

276. (*Chairman.*) I presume you would say that, as a general principle, it is very desirable that the rights of these private owners of markets should be bought up, and that the markets should be placed in the hands of some recognised authority?—Yes, subject to proper control.

277. But I presume it would be necessary, before they could be bought up generally, that there should be some accurate definition of what the rights are?—I think so. It was stated by the Commissioners of 1851, that they found that in a great many cases the markets were established without any authority at all.

278. And even where the markets have been established by competent authority, are the rights of the holders of the markets clearly defined by law?—They are defined by the letters patent.

279. Therefore, if the Legislature thought fit, there would be no great difficulty in ascertaining the value of these rights, with a view to their being bought up?—No. I think the suggestion which the Commissioners of 1851 made in their Report for ascertaining the rights is a very good one. They say:—"For determining the ownership of markets and fairs, and for the notification of any future changes in such ownership, we would venture to submit the following plan: That an advertisement be published in the Dublin Gazette, and other papers, requiring every person claiming to be the proprietor of any market or fair, or to be entitled to the tolls and customs thereof, to send into the Chief Secretary's Office at the Castle, before an appointed day, a statement of his claim, and the nature of his title." If that was done with regard to every market and fair, it would be a very good thing.

280. In point of fact, before any fresh inquiry is made into the state of markets in Ireland, it would be desirable to see how far the state of things described in this very exhaustive Report as existing 35 years ago, still continues?—Precisely; that is absolutely necessary.

281. So far from the subject not having been inquired into, we have, I think, 38 recommendations of the Commissioners of 1851, not a single one of which has been acted upon?—That is so.

282. Are you aware of any regulations of markets requiring transactions to be made through particular agents, factors or brokers?—The private owners in a great many cases let the markets to different persons, who make the most they can out of them. The private owners get a fixed sum per annum for the tolls,—as in the case which I cited of Lord Clanricarde, who gets 230*l.* a year, and makes the tenant keep the markets in repair.

283. (*Mr. Little.*) These tenants are simply receivers of toll, and not brokers?—Quite so.

284. (*Chairman.*) Have you any opinion to express as to the expediency of allowing the leasing of these market rights and tolls?—I have not been able to make a sufficiently exhaustive inquiry to justify me in giving a very decided opinion upon that point.

285. Is there any other point to which you wish to call our attention?—No, nothing further.

286. (*Sir Thomas Martineau.*) I do not know whether you are aware that under the English Acts there are certain restrictions as to the exercise by urban sanitary authorities of their powers; that, for instance, in the case of a town council, the consent of two-thirds of the council is necessary, and that in the case of other urban sanitary authorities, the consent of the owners and ratepayers, given in a particular manner, is necessary; is there any restriction of that kind in Ireland?—In the case of an urban sanitary authority it must be the consent of the majority.

287. (*Mr. Little.*) A majority of the board, but not of the inhabitants?—Of the urban sanitary board.

288. (*Sir Thomas Martineau.*) With regard to compulsory purchase, are we to understand that market rights vested in an individual can be compulsorily bought by an urban sanitary authority under the powers of a Provisional Order?—Not the market rights, but the land for the erection of new markets.

289. That is a very important point. Then to acquire the market rights vested in an individual, a local Act of Parliament would be required?—They may buy them, if they like, by agreement; but to do it by compulsion, there must be a new Act of Parliament. The 1878 Act explicitly stipulates that there can be no interference with existing rights except by consent.

290. So that you would require a local Act to acquire them compulsorily?—Yes.

291. Have there been any such Acts of Parliament passed authorising the compulsory acquisition of market rights?—I am not aware of any; if so, it has only been done by special Acts; but I cannot answer whether some of the special Acts did not give to the corporations the power of purchasing compulsorily.

292. That, I presume, would remedy the evils arising from the markets being in private hands?—Yes.

293. (*Chairman.*) I suppose the expense of obtaining a private Act would be so great as practically to make that an impossible remedy in the case of many of the small towns?—If opposed, it would be; if not opposed, the expense is not so large.

294. (*Sir Thomas Martineau.*) Have you ever heard any suggestion made that a general Act should be passed, empowering the local authorities to purchase market rights, either with the consent of the Local Government Board or otherwise?—No, I have never heard any suggestion of that kind made; it does not exactly come under our notice at the Local Government Board; but in my opinion that would be a very good thing.

295. (*Mr. Little.*) May I ask whether in Ireland, land in the area of an urban sanitary authority pays a lower rate than houses; is there a differential rate, as there is in England?—Railways, canals, arable, meadow, and pasture lands, woodlands, market gardens pay on one-fourth.

296. You allow an urban sanitary authority to borrow the money on the security of the rates, and land pays one-fourth rate?—Yes.

297. You spoke of markets over which the Local Government Board have control; have they any control when once they have sanctioned byelaws?—Yes, no further alteration can be made in the byelaws without their consent.

298. But they have nothing to do with the administration of the market?—No. No toll can be collected other than what the Local Government Board approve.

299. Supposing that there was an allegation that an excessive toll had been collected, you would have nothing to do with it?—No; and if a weighmaster was found guilty of fraud, we should have no power to deal with it.

300. Your control practically is that you sanction the tolls and the byelaws, and then you have done with it?—Yes.

301. You said that in the case of some of the markets held by private owners under patents, the patents granted a market on a certain day; did I correctly understand you to say that the markets were not held on the day specified in the patents?—The Commissioners give a number of instances in which the markets were held on a different day, and in which tolls were collected on every day.

302. You do not know whether there is any forfeiture of the privilege if the market is held on a day other than that which is specified in the patent?—I do not think that any forfeiture is mentioned in the patents. There is a fine in the event of the market not being provided with a proper beam and scales, but it seems to be never put into operation. The Commissioners of 1851 point out that nobody likes to start proceedings against the owner, because it is so expensive; so that in fact the Act is evaded.

303. I did not quite catch what you said about the patent rights as to tolls. I think you said that no toll was specified, but that a general power was given to take tolls?—The patents say that the proprietor shall have power to levy "the usual and accustomed toll," or "the reasonable tolls and customs established," or "the tolls, customs, privileges, profits, emoluments, &c., &c. to such courts, fairs, and markets appertaining or belonging"; and it was the ambiguity of these definitions which aroused dissatisfaction, and, led to a strike against tolls.

304. The Commissioners of 1851, in their Report, state that no reliable records of prices were to be obtained from markets; is that the state of things now?—In perhaps one or two towns you might be able to get a record of prices, but there is no reliable record of prices generally.

305. (*Mr. Elton.*) You read something, did you not, from the report of the Commissioners of 1851, intended to express the view that tolls were originally granted only to defray charges?—To provide market accommodation.

306. To defray the expense of providing market accommodation; is that your view also?—I could not give an opinion. That appeared to be the view of the Commissioners. These patents were granted from the time of James I., and it is impossible for me to say with what object the tolls were originally granted.

307. It would not strike you that tolls were always regarded as rather a profitable franchise, and as an article of property?—I should not like to express an opinion upon that point.

308. With regard to Dublin, there was, I believe, a very great complaint at one time about the excessive tolls taken by the Corporation of Dublin, and there was a work printed on the subject; have you had an opportunity of reading that work?—There were very great complaints about the Dublin markets.

309. And there was litigation about them?—I have heard so.

310. Have you any knowledge as to the tolls that were taken at the city gates of Dublin?—I do not quite remember that; but I know that the Corporation have done a good deal to remedy the evils that were complained of in 1851. They have the new market in Prussia Street, and a new vegetable market, and other small markets.

311. You have not any particular information on the subject?—I have not.

312. With regard to the patent markets, from the time of the Stuarts, of course you are aware that a market may be granted without a right to take tolls, or with a right to take tolls?—Yes.

313. And a grant to take reasonable tolls would not amount, would it, to the right to take unlimited and unusual tolls?—It is for the proprietor to say what are reasonable tolls.

314. It would be rather for some external authority, would it not, to say what had been the usual tolls?—The terms of the patents are not only "the usual and accustomed tolls," but "fair and reasonable tolls"; and it is very difficult to decide.

315. One set of patents would say "the usual tolls"?—Yes; and others would say "fair and reasonable tolls." I hardly like to express an opinion myself, and I merely pointed out that the Commissioners of 1851 foresaw that that would lead to difficulty.

316. Every toll is in its nature limited, is it not, according to the legal theory?—Yes.

317. There cannot be such a thing as an unlimited toll?—No.

318. Though there might be a thing taken under the name of a toll?—Yes.

319. An unlawful sum of money taken as a toll would be what is called an outrageous or "rank" toll; and the exacting of it might lead, if the Crown chose to take steps, to the forfeiture of the franchise; might it not?—It might.

320. It would not be, therefore, necessarily only private individuals who might proceed, but it might be an officer of the Crown by *quo warranto*?—Yes, I presume so.

321. All franchises of market, I take it, are granted on condition of not being misused or abused?—Exactly.

322. As to one market which you mentioned, belonging to Lord Clanricarde, was that one of the cases where you thought there had been unlimited or rank tolls?—The Commissioners of 1851 mentioned Loughrea market as a bad case, and it was as to that market that I received a reply that very little accom-

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modation was being provided. That was one in which the Commissioners considered there had been an abuse.

323. But they did not mention whether the tolls were very heavy there?—They are specified in the Appendix to their report. I do not think I got the exact tolls in that market.

324. You said that the town hall was not allowed to be used for market purposes; I suppose the practice at the time that the patents were granted, and for long afterwards was not to hold markets in buildings or town halls?—Yes.

325. Markets were held in the open air until lately, were they not?—Yes.

326. But, however, a complaint was made that that particular town hall was not accessible to the public as a market?—Yes.

327. Did it belong to Lord Clanricarde?—It says in this report that the Galway inspector obtained for me that he erected it.

328. Perhaps he thought it an inconvenient place for a market for cows and pigs?—Very likely.

329. You mentioned that at Nenagh the fairs were held in the street; has there ever been any fair that was not held in a street or a field?—Large numbers of them.

330. Where would the fair be held?—In the fair green.

331. I ought to have been more technical, and said "in a close." The fairs are not usually held in the houses?—They are not always held in the streets, they are held in the fair green.

332. At Castlebar the market is held in the street, is it not?—Yes.

333. May I take it that it is held in a narrow street, or in an enlargement or widening of the street?—It is held where there is a narrow bridge; in fact it is very often impossible to drive down Castlebar when the market is being held there.

334. One more question with regard to the fairs. The fairs, I take it, would not be included among those patent rights that you mentioned as dating from the time of the Stuarts?—I have not made much inquiry into the question of the fairs.

335. Are not the fairs in Ireland well known to be some of the most ancient institutions in the country?—Yes, I think some; they are held under patents the same as the markets. The only information that I have with regard to the fairs, is that given by the Commission in 1851.

336. You are not aware that the Dublin authorities consider that some of the fairs date back from long before the English conquest of Ireland?—I am not able to answer that. They are not under our control in any way.

337. Then you do not wish to insist that they are part of the patent rights, though you spoke of them as being in the same category as markets; I understood that you gave instances of fairs as being under the classification of patent rights?—I do not think I mentioned that the Dublin fairs were. The Commissioners' report of 1851 gives the names of fairs which are held by Letters Patent.

338. You mentioned that there was a complaint at Nenagh that fairs were held in the streets?—I meant to say markets at Nenagh, and not fairs. I am not sure whether the fairs are not held in the streets at Nenagh.

339. You do not wish to put them amongst those

markets dating from the time of the Stuarts?—No; all my evidence was given with regard to markets.

340. You mentioned the cranage fees at Castlebar; would those be a separate franchise granted under the patent, or would they be part of the ordinary market dues?—I think the cranage fees are given in return for the weighing.

341. Separate from the market dues?—They are bound, I think, under an Act of Anne or of George III., to erect a beam.

342. But before the Act of Anne, when the King granted the right to have a beam and to charge cranage fees, those are not quite the same as market dues?—No.

343. Then as to Skibbereen, you said that tolls were taken every day, and that there were two market lords; did each take the tolls or how did they divide them?—What generally happened, according to the Commissioners' report, was that the patent gave to different individuals power to levy market tolls on different days; but the information that I got at Skibbereen was that in one case the market tolls were given over as a present to the Town Commissioners, and that in the other case they were leased to the Commissioners, and that the tolls were collected every day.

344. You did not mean to say that they were two tolls levied every day?—No.

345. Is the whole town of Skibbereen a market, or is there a special place appointed for a market?—They generally hold the market in the streets; they generally have a fixed place in the streets where they hold it by custom.

346. A whole town may be a market; the whole city of Bath for instance is reputed to be a market, is it not?—I do not know. It would not take much to fill Skibbereen.

347. You have mentioned that the right of holding fairs and markets implies that other people are not entitled to set up fairs and markets to interfere with them; is it not a fact that there is a great number of unauthorised fairs and markets now set up in Ireland by totally unauthorised authorities?—There are some, I believe, for which no patent can be traced.

348. Have you come across instances where there has not only been no patent, but where political associations have led to a market being established in an inconvenient place, if people attending the market did not want to pay the tolls to a particular private individual?—I have never come across instances of that sort, although I have lived in the West of Ireland for a long time.

349. You have not come across cases of fairs and markets being set up in the last two or three years in order to take the custom from a private market?—No, but I do not see how that would answer, because nobody would have the power of levying toll in such a case as that.

350. No legal power?—The people would not pay the tolls. They might meet and sell things one to another, and I do not think that anybody would attempt to levy a toll there.

351. (*Mr. Little.*) Can you tell us the number of free markets and the number of markets where tolls are taken?—No. The Local Government Board have no information about any of these private markets. The only possible way of obtaining information as to what markets are free would be to send circulars to each market town.

The witness withdrew.

Adjourned to Saturday next at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

THIRD DAY.

Saturday, 26th November 1887.

PRESENT :

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR THOMAS MARTINEAU.
MR. CHARLES I. ELTON, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. JOHN J. HARWOOD.
MR. WILLIAM C. LITTLE.
MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. G. PRIOR GOLDNEY examined.

352. (*Chairman*.) I need hardly ask you whether you are the City Remembrancer?—I am.

353. I understand that you come here to give some evidence as to the London markets?—Yes. I do not know whether it would be convenient to the Commission that I should first give a short history of the origin of the London markets, without going too much into archæological detail so as to put the Commission generally in possession of the facts.

354. I was going to ask you to explain what you consider to be the origin of markets, with special reference to the London markets; and perhaps it would be better if you would make your statement in your own way?—So far as I gather, the origin of markets is to be attributed no less to the necessity of providing victuals for those dwelling in towns, than to the advantage which they afford to the rural population of disposing of the produce of their agricultural labours at a fair price. In old times there was also another very considerable benefit to be derived from them, and that was that, whereas in the private sale of goods the vendor could give no better title to the goods than he himself possessed, and therefore the purchaser would by law be compelled to restore them to anyone who could prove a better title, by sale in what was called "market overt" the purchaser acquired a perfectly good title, of course direct fraud being supposed to be absent. It was for this purpose, as stated in the legal treatise known as "The Mirror of Justice" (attributed to a certain Andrew Horne, an eminent citizen and fishmonger, who also served the office of City Chamberlain and died in 1328), that tolls were established in markets in order to testify the making of contracts; and there is no doubt that in old times all market bargains were made before an official, whether the reeve, or some person appointed by him, or, in many cases, before two or three witnesses. It is also undoubtedly the case that in Saxon times private contracts above the value of twenty pence were entirely discountenanced, and everything of a superior value was obliged to be sold before witnesses.

355. You say that a sale in market overt gave a title against all parties; does that mean that if the seller disposed of something which was not his own property, and which could afterwards be proved not to be his own property, the fact that it had been sold in market overt gave the purchaser a right to the property?—Yes.

356. (*Mr. Elton*.) Except in the case of horses?—Quite so. In the case of a stolen bullock, for instance, a man got it safely, say, into Marlborough Market on the market day, and sold it there in market overt; the purchaser was entitled to hold the bullock against all comers; he was the lawful proprietor of that bullock; but, as Mr. Elton says, horses are an exception.

357. (*Chairman*.) Are there any rules as to the days on which markets should be held in London?—No, every day in the City is a market overt; and, what is more, the City itself is a market overt; and all shops in the City are market overt for the goods which each shopkeeper proposes to deal in. So that

shoes sold at a shoemakers in the City would be sold in market overt; but a hat sold at a shoemakers would not be sold in market overt. In country towns market overt is confined to the particular market days specified in the charters.

358. Will you explain what the origin of markets was?—The erection of markets and fairs formed a part of the king's prerogative in apparently all European countries,—at all events, all the European countries except Russia; I do not know much about the Russian fairs, although there are one or two very large fairs held there. Theoretically, no markets and fairs could exist except by direct grant from the Crown, or by that prescription and immemorial usage which presupposes such a direct grant. The power to grant markets was undoubtedly one of the principal of the Crown's prerogatives.

359. Were there in practice any restrictions as to the parties to whom, and the conditions under which, markets should be granted?—I think that, in practice, there were. Before the erection of a market, it was necessary to provide for its due maintenance and regulation; and the franchise, therefore, was never granted except to some substantial and responsible person, such as the lord of the manor or the municipality, if there were one. And, I think, there is no doubt that it imposed a responsibility upon the grantee of providing such sufficient accommodation as was at the time of the grant considered necessary for the proper maintenance and regulation of the market. The grantee undoubtedly was bound, either himself or by his officers, to be there to witness bargains and to guard against malpractices, and malfeazances of all sorts. Then, to enable the grantee to carry the market on, tolls were granted.

360. And I presume it was with the same object that a monopoly was established within certain districts?—Yes, the monopoly has generally been construed to extend to something like seven miles, which is now known generally as a sort of common law limit. I do not myself know exactly why the seven miles should have been pitched upon for the common law limit; I do not know that there is any better reason for it than the old reason that is given, and that is, that it is the third part of 21 miles, 21 miles being supposed to be a day's journey for a man. That allowed him seven miles to go to market and seven miles to come back, and the period occupied by seven miles travelling to do his business in the market. That seems to have been the old reason; whether it is a good one or not, I do not know; but that computation is certainly a very ancient one. In the days when these charters were originally granted such a thing as free trade had of course never been thought of, and they were granted as monopolies; and from that time to this, down to the last decision in the case of the Great Eastern Railway Company *v.* Horner in the Spitalfields case, the law has entirely recognized that the institution of a rival market within the distance, or thereabouts, of seven miles, is an injury and tortious; is both *damnosum* and *injuriosum* to the original grantee of the market. In fact, it is a nuisance to the neighbouring market.

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361. Is there anything to show whether the right of charging tolls, and the monopoly which was necessary to secure that right were conferred only with the view of enabling the grantee to defray the necessary expenses, or whether it was contemplated that he should make any profit out of them?—It is a question that I do not suppose anybody could answer with absolute certainty, but I rather take it, so far as I can judge, that the grant of a market charter seems not to have been, at all events in the cases that have come under my notice, a grant for anything but what we may call public purposes, not as a source of private revenue. But I think that the grant of charters of fairs seems to be otherwise. Both in this country, and certainly in France, I think you will find if you go into these matters further, that where as a general rule the market tolls are very reasonable, compared even with the dates when they were granted, the fair tolls are high, and were very shortly after the time that they were granted a source of considerable revenue to the grantees. That seems to be, from what research I have been able to make, the general result.

362. When charters were originally granted was there any limit fixed to the amount of tolls that might be charged, or was that left to the discretion of the grantee himself?—I think that there are a great many instances both ways. I should think that under the earliest charters you would probably find that there are no tolls. Of course, by the common law the toll must be reasonable.

363. Would that imply that if the toll could be shown to be so high as to materially limit trade, it would be declared to be unreasonable and therefore void?—It would be declared to be unreasonable; but I do not know that I should go so far as to say “and therefore void.” I should like to consider that point more carefully than I have had an opportunity of doing. It would not be a cause of forfeiture of the market certainly under the decision of all the judges in the Islington market case, to which I shall ask the attention of the Commission. So I guard myself by saying that I am not sure that it would be therefore void.

364. (Sir Thomas Martineau.) But there must be some result of its being unreasonable?—I think it would be voidable; but it is rather an intricate point of law, and I do not wish to be too perfectly certain about it.

365. It would be voidable if not void?—Yes.

366. (Chairman.) What were the charters under which the London markets were originally granted?—The earliest charter that we have, and which is still in a very fairly good state of preservation, is the charter of the first year of Edward III.; and that charter sets out and confirms the privileges of the City, that no market should be erected within seven *leucas* of the City. The *leuca* appears to be about 280 feet less than a mile.

367. (Mr. Little.) Is not a *leuca* 2,000 paces?—Yes, I believe it is. With regard to this charter which has not been the subject of litigation, because it has never been contested, but which has been adjudged upon a great many times, and even comparatively recently, within the last two or three years, it is a charter granted in Parliament; it is what is called a statute-charter or a charter-statute. The date is the first of Edward III. (1312), which was before there was such a thing as Private Bill legislation; and the judges held in the House of Lords on appeal that such charters are to be considered and taken in precisely the same way as local and personal statutes. This was granted in Parliament with the approbation of Parliament.

368. (Mr. Elton.) Would it be on the Rolls of Parliament?—No, they are not on the Rolls of Parliament. When you come to see the case that I shall refer you to presently of the Great Eastern Railway v. Goldsmid, that is gone into at some considerable length by Lord Selborne.

369. Some such charters are on the Rolls of Parliament, and I have seen them there; but this one

you say, is not on the Rolls of Parliament?—No, this is not.

370. (Chairman.) This charter has been subsequently confirmed, I apprehend, on several occasions?—By most of the Plantagenet Kings in the first years or so of their reigns. Then later on, in the Stuart period, there were *Inspecimus* charters granted. Then taking this from the report in 3 Clark and Finelly's House of Lords cases on the charter itself, the general effect comes to this: (1.) That the charter, being granted in Parliament, had the effect of an Act of Parliament, and corresponded to the local and personal Acts of the present day, and the Crown would have no right to grant another market within the common law distance of seven miles of the City. (2.) That a grantee of a market may hold it anywhere he pleases within certain limits, or in more places than one, and may change the place in which it is held, but that an obligation is cast upon him to provide convenient accommodation for all who desire to buy and sell in the public market, otherwise there would arise a good defence to an action brought by the grantee of the franchise against any person for selling out of the market to the prejudice of his right, provided that such person had been prevented from selling in the market by want of convenient room. (3.) That this breach of duty on the part of the grantee might operate as a forfeiture, and furnish a ground for a *scire facias* to repeal the patent by which the market was granted, even if it did not lay him open to an indictment for a misdemeanour. (4.) That so long as the grant remains unrepealed, any default in providing proper accommodation for the public could not of itself operate in point of law as a ground for granting a new charter to another to hold a market within the common law distance which should be injurious to the existing market. (5.) That in the case of a grant of a market being one of metes and bounds, and the grantee incapable of enlarging its limits, this circumstance, coupled with the fact that it would be for the advantage of the public that a new market should be erected, would be a sufficient ground for the Crown to take such steps as according to law would have the effect of erecting a new market to such an extent as would remedy the inconvenience without affecting the rights of the owners of the old market, and for that purpose a writ of *ad quod damnum* might issue, and upon the inquisition returned on that writ, that the erection of a new market would not be to the damage of others (*non sit ad nocumentum alterius mercati*) the Crown might grant such a new market. (6.) That damage done to the owner of a franchise of a market by the erection of a new market within common law distance may form a fit subject for compensation. The case in Clark and Finelly arose in this way: A Bill was brought in to establish a market outside the London Cattle Market; in fact, shortly speaking, it was before the removal of the old Smithfield Market, when a great many schemes were introduced by a great many people, to get the old Smithfield Cattle Market out of London: and this was one of the schemes that were introduced. It went before a Private Bill Committee of the House of Lords, and the point was then raised as to whether Parliament could grant such a charter without compensation to the holders. The Committee of the House of Lords then sent for the Common Law Judges, and laid particular questions and cases before the Common Law Judges, as the House of Lords are constantly in the habit of doing; and the Common Law Judges after one or two meetings, and the matter being sent back to them on more than one occasion gave a very elaborate judgment on each of the points specifically. The last time when that was again under judicial notice, was in the cases of the Spitalfields Market, the Great Eastern Railway Company v. Goldsmid, and the Great Eastern Railway Company v. Horner. The case of the Great Eastern Railway Company v. Goldsmid also went up to the House of Lords, who gave their judgment in 1884.

371. (*Mr. Elton.*) The first case in Clark and Finely that you have referred his Lordship to, was before a Parliamentary Committee; it did not go up to the House of Lords as a judicial tribunal?—It was before a Private Bill Committee of the House of Lords, and they called in the Common Law judges. The Great Eastern Railway Company v. Goldsmid went up to the House of Lords as the last Court of Appeal, and there their Lordships quote with full approval all through the opinions of the judges, and deal at considerable length with this Charter of Edward III.; but I think I have given as nearly as I could the general result of those decisions.

372. (*Chairman.*) I will now ask you to state to us briefly what are the markets in actual use, and under the supervision of the Corporation?—The markets now in actual use and under the supervision of the Corporation are the London Central Markets, the London Central Fish Market, Farringdon Market, Smithfield Hay Market, the Metropolitan Cattle Market, Leadenhall Market, Billingsgate Market, and the Deptford Cattle Foreign Market.

373. What is the London Central Market?—The London Central Market is for the sale of meat of all kinds, poultry, and animal food. This market occupies an enormous range of new buildings east of Farringdon Road, and north-west of St. Bartholomew's. It was first opened for business in December 1875, and was constructed under Statutory powers, so as to enable the Corporation to acquire a good deal of land, and to make street improvements, and so on. The ordinary compulsory powers.

374. Will you describe the London Central Fish Market?—The London Central Fish Market joins the above market, and the construction of it was originally designed as a vegetable market. Before it was completed, however (I will give you the dates afterwards), it was considered very desirable to establish an inland rail-borne fish market, and so this building, which was then not quite completed, was converted into a fish market for rail-borne fish; and in 1882, an Act was obtained for the purpose. Since 1882 we have endeavoured to carry it on as a fish market, but the failure was so apparent, that in the Session of 1886 another Act of Parliament was obtained, so that the fish might be transferred to a more commodious building on another part of the same site, removing to the vacated spot the old Farringdon Vegetable Market, which is rather a dirty old place, some 200 yards lower down the same road. This had been originally in contemplation when this building was first established. That Bill was passed in 1886, and the work is now going on, but by reason of its being over the railway it can only proceed very slowly.

375. Will you describe the Farringdon Market?—The Farringdon Market, which is a fruit and vegetable market, was established on this particular site when the great street improvements were carried out, after the demolition of the Old Fleet Market, &c. There seems always to have been some sort of fruit and vegetable market somewhere about here in quite a small way for a long time, but this was all built with stone when these street improvements and approaches to Blackfriars Bridge were made. When the work of which I spoke just now is completed, this market will be moved bodily away to this new site, and the Act of Parliament provides that the present site is to be sold.

376. Will you describe the Smithfield Hay Market?—The Smithfield Hay and Straw Market is situated on the south side of the London Central Markets. It is an extremely small and insignificant market, and its principal interest lies in the fact that it is held on the site where the martyrs used to be burnt. It brings in a very small amount of revenue. In fact, there is no hay or straw to any extent sold in London markets now. The whole of that trade is done at the railway termini. It is an open market, and people in the immediate neighbourhood of London who have a few tons of hay or straw to sell will bring it here and sell it; but it is quite a small affair.

377. Will you describe the Metropolitan Cattle Market?—The Metropolitan Cattle Market, at Islington, is the largest cattle market in the world, and I would venture to suggest to the Commission that they should go up and see it. It is such an enormous undertaking, and the whole thing is on such a scale, that I do not think the Commission will get a very accurate conception of it unless they go and see both that and the Deptford Market.

378. Do you know the extent of the Metropolitan Cattle Market?—It covers altogether some 75 acres of land, and the actual tie-up places in the market—the market ring—occupies 15 or 16 acres. It is a very large business.

379. Will you now describe Leadenhall Market?—Leadenhall Market is still called Leadenhall Market, although as a matter of fact, it has got itself moved a little away from Leadenhall down more to Gracechurch Street, under the last Act of 1879, when the whole place was rebuilt in connexion with the street improvements, and the widening of approaches, and so on.

380. Will you describe Billingsgate Market?—Billingsgate Market, which is on the river, east of London Bridge, is probably the oldest market of which we have any sort of trace, certainly going back into Saxon times. It has a good landing frontage to the river on one side, and a frontage to Lower Thames Street on the other side. It was rebuilt under the Act of 1871, and the building was opened for business at the end of 1872, or the beginning of 1873.

381. Will you describe the Deptford Foreign Cattle Market?—Of the Deptford Foreign Cattle Market the corporation are the local authority under the Contagious Diseases (Animals) Act, 1869. That market is for the landing, lairage, and slaughter of foreign cattle only; no animal that goes in there comes out alive.

382. (*Mr. Elton.*) When was that market established?—Immediately after 1869; the Corporation spending a great deal of money over the old Deptford dockyard.

383. (*Chairman.*) I understand, from what you say, that the charter to which you have referred did not create a new state of things, but was only a parliamentary recognition of the existence of a market in the City before that date?—Yes. There were a good many old markets in the very earliest times in the City. Billingsgate, Leadenhall, and Smithfield markets seem to be the oldest of which we have any trace.

384. (*Mr. Elton.*) Was not Cheapside a market?—Yes, there were two Chepes; there was Eastcheap, and what we call Cheapside now. It is known that Billingsgate was a place where boats laden with fish came, and paid tolls in the reign of Ethelred; we have extracts showing that. That was from 979 to 1016. Smithfield, according to one of our old records, was an existing market in 1253. There also was held Bartholomew Fair, of which the Corporation seem to have had one-half, or one fair; the other half, or the other fair, being granted to the Prior of the Hospital of St. Bartholomew, the site of which is now occupied by the present hospital. On the dissolution of the monasteries, the right in the last-mentioned fair came into the hands of Sir John Rich, who was then Attorney-General; and I think by inheritance it subsequently came down to the present Lord Kensington, or his father, who sold whatever it was worth to the Corporation. But the fair entirely died out by the action of the Corporation, it having degenerated into a nuisance, and there is not even a pleasure fair held there now, though at one time it was a considerable fair.

385. (*Chairman.*) It ceased altogether about the year 1855, I understand?—Yes. The Lord Mayor used to go down with some of the Aldermen and open the fair, and there was a certain ceremony performed, but that was all given up in 1855. That was the date of the last proclamation, and then it was only a sort of pleasure fair at which they sold ginger bread nuts, and a great many books.

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386. Were there formerly any other markets in the City?—There have been a great many other markets at different times in the City, but with the growth of the City, and the change of the habits and wants of the population, they have gradually disappeared. Taking them quite shortly, there was one at Queenhithe, which was another ancient haven or slipway or landing place in the Thames, where corn was landed. That seems to have been part of the dowry of the Queens of England, and was therefore called Queenhithe. It was granted to the mayor and citizens of London by Richard Earl of Cornwall, the king's brother, for 50*l.* a year, to be paid to the Earl, which grant was afterwards confirmed by Royal Letters Patent. The site of that market is all built over now, and the market has entirely ceased to exist. Then, towards the end of the 13th century, a certain Henry-le-Waleys, who was Lord Mayor, obtained permission from the Crown to build upon some land near the churchyard of "Wolfechurch," and to lease the building for the benefit of the Wardens of London Bridge. He accordingly erected a building which he called "les stokkes," and which he leased to certain fishmongers for the use of butchers and fishmongers as a market for the sale of their goods. This arrangement was afterwards confirmed by letters patent of Edward II. in 1324, and it continued on as the Stokkes Market until it was abolished for the building of the present Mansion House, which was built by Sir John Dance about 120 years ago. Then, with regard to Leadenhall Market, what the Leadenhall was I do not quite know, but at all events it was a court of justice very early in the fourteenth century, and the Corporation used to meet there; they had one meeting certainly in the year 1326. But in the fourteenth century it became the site of a granary erected by Simon Eyre, an Alderman, and to this granary was removed "the market for poultry, victuals, grain, eggs, butter, and cheese, and the like, which had been used to be held at the Leadenhall."

387. (Mr. Elton.) It is a common phrase for distinguishing the old halls at the Universities, which are spoken of as "the Glazed hall," "the Leaden hall," "the Glass hall;" it refers to something on the roof?—Probably. There was a sort of small general market underneath. Later on there seems to have been a considerable market for hides. However, that faded away, and when the new market was built under the Act of 1879, no provision was made for any hides, nor was there any demand for it. Then as early as the year 1364, there appears to have been a common market on the pavement within Newgate, within, I suppose, the new gate; and eleven years later proclamation was made that the foreign poulterers entering the City by Newgate and Aldersgate, should sell their wares "on the pavement before the Friar's Minors;" that is to say, before the house of the Grey Friars, whereon at the present day stands Christ's Hospital. Under the Act this market was subsequently removed to the central markets.

388. (Chairman.) That market was not only allowed but enjoined to be held in the streets?—In the streets.

389. (Mr. Elton.) Was it outside or inside the gates?—Inside.

390. (Mr. Little.) The "foreign poulterers" were persons outside the City, I presume?—Yes. Of course in early days all markets were held more or less in the open streets, such as Gracechurch Street, Old Fish Street, and Chepe particularly. There were two Chepes situate within the City, namely, Eastcheap and Westcheap (now known as Cheapside). The former, the East Chepe, was a market chiefly for butchers, whilst the latter, Cheapside, served the purpose of a common market for all kinds of merchandise. It became so much the custom to hold markets in the streets, that a proclamation was issued in 1310 forbidding either man or woman to hold a market in the highway of Chepe after the hours of noon as theretofore had been done, nor yet in any other place within the City, save only upon Cornhill;

so that at that time there must have been some sort of general market in Cornhill; and it is noticeable that in so many country towns you find that the Cornhill is one of the approaches to the market place. In Dorchester, the Cornhill is the principal approach to the market place, and in many other towns you find a similar condition of things. These markets would be old markets, and certainly not limited by metes and bounds; they were simply in the street.

391. (Chairman.) Not, I presume, possessing any monopoly?—No, except that they were part of the Corporation's markets.

391a. (Mr. Elton.) Part of the general market extending all over the City, which you told us of?—Yes.

392. (Chairman.) What is the next point in the history of the city markets to which you desire to call our attention?—The next great era in the history of the markets in the City was the Great Fire. After the occurrence of the Great Fire there were two building Acts, "Fire Acts" we always call them, passed in the 19th and 22nd of the reign of Charles II. Certain judges were appointed as commissioners to adjudicate speedily upon the different claims. The Lord Mayor and Corporation appointed certain surveyors to survey and report. Under the second of those Acts, 22nd Charles II., cap. 11, a special clause was inserted enabling the ground to be assigned for public market places. Perhaps I may be allowed to read this clause "That the Mayor, Alderman and Commons of the said City in Common Council assembled shall and may and are hereby empowered to employ such places and portions of ground within the said City and liberties thereof as by and with His said Majesty's approbation now are, or before the tenth day of March one thousand six hundred and sixty-nine shall be, set out and adjudged necessary and convenient, as well for the public market places there as also for the ornament, enlargement, and convenience of the said Royal Exchange and other places afore mentioned, and every or any of them respectively." That gave them very great latitude. One of the principal markets established under that Act was a market called Honey Lane Market. King Street goes up to the front of the Guildhall, and Honey Lane lies just to the left of King Street, out of Cheapside. Some few years ago that market was pulled down, and the new City of London School was built on the site; that school in its turn has been pulled down and moved on to the Embankment.

393. (Mr. Elton.) I suppose that all the streets with such names as Milk Street and Honey Lane and so on are bits of market?—Probably; however, Honey Lane was older than the market.

394. (Mr. Charrington.) I have seen the name and am familiar with the place; what was Honey Lane Market for?—It seems to have been a general market for meat, poultry, and vegetables; I think it was what you would call a general retail market; and it was with reference to the establishment of that market and the allegation that notwithstanding this Act the Corporation had no power to levy tolls, that Judge Jeffreys advised that the City Charter should be forfeited, and forfeited it was, as we all know, till 1689, after the Revolution. At that time also all the market was clearly moved out of Cheapside; and very shortly afterwards, and probably as part of the same scheme, a market was established called Newgate Market, just opposite Newgate Prison, in the rather large open space there.

395. (Chairman.) Will you continue the history of the City markets?—On the 10th February 1667 a Committee appointed to consider the places most convenient for the public markets, delivered a report to the Court of Common Council, in which they recommended certain improvements to be made at Leadenhall Market and the Stocks Market, the opening of a market-place in or near Honey Lane on the site of the Milk Street church and churchyard and Honey Lane church, instead of the market which was

formerly held in Cheapside, and the extension of the market place at Newgate, so as to serve for a "white" market instead of that formerly held in Newgate Street. In fact the Cheapside part of the market was moved up into Honey Lane. There seems on that site at Newgate to have been a herb market, which had been moved there from Aldersgate Street.

396. The object of all these proceedings appears to have been to concentrate more or less the then existing markets?—Yes, and to clear them out of the streets.

397. What was the next action that was taken?—In 1692 the Court of Aldermen instructed the City surveyors appointed under the Fire Acts to make a survey of the several markets of the City. This appears to have been completed by the following year, and the farmers of the markets (showing clearly that the markets were all farmed) petitioned the Court to take steps with a view to perpetuating the testimony of the Surveyors as to the boundaries and other rights of the markets, which the Court was very willing to do; and a Bill was ordered to be exhibited in Chancery to that end. Whether or no this was carried out does not readily appear in the City Records; probably not, otherwise there would scarcely have arisen the necessity of issuing a similar order as appears six years later. There the records seem to stop.

398. What could have been the object of trying to perpetuate the evidence of the boundaries of the markets, if, as you say, the whole City had the legal rights of market?—I think probably they must have had in their minds Judge Jeffreys' attack on these Acts, when the City Charter was suspended; and there seems to have been some doubt as to whether, although the whole City was market overt, and all under the control of the Corporation, you could move a market at all, even by Act of Parliament or anything. That is the only suggestion that I can make.

399. (*Mr. Elton.*) Were there several farmers of the markets?—Yes; I fancy that every market was farmed.

400. (*Mr. Little.*) They wanted the boundaries settled as between farmer and farmer?—Yes. I mention that more to show that markets were farmed at that time than for any other purpose.

401. (*Sir Thomas Martineau.*) It may have been a matter of convenience as regards the occupation of the streets?—It may have been. The whole place was in a state of re-building at that time.

402. (*Chairman.*) What is the next point?—Then, taking them chronologically, by Statute 10 & 11 Will. III. Cap. 24, Billingsgate Market was made a free market for the sale of fish for anyone to buy and sell therein, and certain tolls were fixed which were to be at the disposal of the Lord Mayor and Court of Aldermen. This was followed by a great many other Acts dealing with the fish trade, although not specifically with Billingsgate.

403. (*Sir Thomas Martineau.*) But your expression "free market" does not mean that it is free of toll, does it?—No, that it is a free and open market for anybody to come and trade there, from which one would assume that before that period it was not free.

404. (*Mr. Harwood.*) You say that these markets were let to farmers; I suppose that those farmers had the entire control of them, and only permitted certain people to sell in them?—I expect so.

405. And this market, in contradistinction to those, was free to anybody?—Yes.

406. (*Mr. Charrington.*) Is Billingsgate Market free to anyone now?—Certainly. "An Act for making Billingsgate a free market for sale of fish," is the title of the Act, and the preamble of the Act is: "Whereas the publick wealth, honour, and safety of this Kingdom, as well as the maintenance of trade, and support of navigation, as in many other respects, depend on the improvement and encouragement of the fishery, and Billingsgate having, time out of mind, been a free market for all manner of floating and salt fish, as also for all manner of lobsters and shell

fish; nevertheless divers abuses, evidently destructive to that trade, have been of late years practised, by raising new impositions and tolls, and by forestalling of the markets, and other methods used by the fishmongers in not permitting the fisherwomen and others to buy the said fish of the said fishermen, to sell them again in London and elsewhere, by which means the fishermen are obliged to sell their fish to the said fishmongers at their own rates, to the great discouragement of the said fishermen." That, I think, pretty well explains it.

407. One hears a great deal about the Billingsgate ring; is there not a good deal of that kind of thing done now?—One hears a great deal about it, and I think it is very desirable, if you will forgive me for saying so, that you should follow that out; and I would venture to suggest that you should have the clerk of the market, and, if necessary, some of the actual traders of the market, before you.

408. (*Chairman.*) Will you proceed with your statement?—Then, towards the end of the 17th century, the corporation took steps towards establishing a meat market on a piece of waste land near Fleet Ditch, which was consumed by an Act of Common Council passed in the year 1700. That has passed away into Farringdon market. The Fleet Ditch was filled up about the years 1735–37, and a fruit market erected upon the ground so reclaimed. This continued to be a fruit and vegetable market till 1824, when an Act of Parliament (5 Geo. IV. cap. 151), was obtained for its removal to more commodious quarters in what came to be known as Farringdon Market. To this latter market was also removed, in 1838, the green or vegetable market formerly held in Newgate Market. In the year 1851, a statute known as "The Metropolitan Market Act" equally as the "Smithfield Markets Removal Act" was passed, which put an end to the cattle market theretofore held at Smithfield. Under this and an amendment Act a couple of years later, the Corporation bought and erected the Metropolitan Cattle Market at Islington, at a cost of 450,000*l.* The land was always supposed to have been bought rather dear, but by and by you will have all the figures. The cattle market having been removed from Smithfield, a portion of its site was utilized as a market for meat, poultry, and other provisions, under an Act of Parliament passed in 1860 (23 & 24 Vict. c. 193). To this market was also removed in the following year, the meat market, which had theretofore been held in Newgate Market; and, in fact, all the other small market places that existed, or were supposed to exist, were moved into that great range of buildings. The buildings, of course, were not quite as large then as they are now; they have been added to by degrees; but a clean sweep was made, and the markets were all taken out of streets and back lanes. Then, under the Statute 32 & 33 Vict. c. 70, the Contagious Diseases (Animals) Act, 1869, several landing depôts were constituted all over England, and the Corporation of the City of London were made the local authority for the landing and slaughtering of foreign cattle at Deptford. The old dockyard was utilised with the glazed-in building slips, and they served very well for a time, but if you go down there you will see that every bit of them has had to be cleared away, and an enormous outlay has been made. The reason why the outlay has been so large is this: that you are obliged to prepare for having a very large vessel with a full cargo of foreign animals; and when they are landed you find one or two or them unsound, and all that cargo is obliged to be absolutely isolated. We can isolate two complete lots of cattle, besides the general arrangements for the lairage and slaughter of others; so that it required a very large space, and very large and expensive buildings. I went down myself with Mr. Dodson when he was at the Privy Council, and he took a great interest in it, and went down a great deal himself at that time. At that time we were suffering very much from pleuro-pneumonia; it was subsequent to the great attack of rinderpest. The Privy Council insisted upon

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very expensive works being carried out to facilitate the process of complete isolation; and that, as you will see when you go there, has rendered the building account extremely heavy. Those are the markets so far as they exist.

109. What information can you give the Commission with regard to the management of the markets?—With regard to the management of the markets, I find that in the year 1771 a report was brought up to the Corporation by a sub-committee, which stated that Newgate Market had for some years, owing to some action of ejectment, passed into the Corporation's own hands, that is, out of the hands of the farmers. This Committee recommended that Newgate Market should then be kept in the Corporation's own hands. It was subsequently referred to a sub-committee to examine the state of all the other public markets in the City, as to whether any, and if so, what regulations should be made for their better care and management. From the report of this sub-committee, it appears that the former resolution, which was passed in 1771, to keep the markets for the future in the Corporation's own hands, was being carried into execution; so that about 1771 we got rid of the farmers; and from that time to this the markets have been entirely in the hands of the Corporation.

410. And they are managed by the Markets Committee?—Yes, they are managed by what we call technically in the Corporation a "Ward Committee;" that is to say, the City being divided into wards, there are so many members from each ward on the Committee, and the members for each ward retire; so that, although Cheap Ward or Bread Street Ward or any ward has always so many on the Committee, they are not always necessarily the same members; and each ward arranges for itself who shall represent that particular ward on the Markets Committee.

411. (*Sir Thomas Martineau*.) It is a large Committee, then, I suppose?—Yes, the Markets Committee is a very large Committee; but that again is divided into a good many sub-committees, who take over the business of particular markets, or particular parts of the business; and they do the detail work, and then they bring it up to the Markets Committee; and then the whole Committee deal with it afterwards. The Markets Committee itself being under the Corporation, when there is any step of more than an ordinary character to be taken, the matter comes before the whole Corporation at a meeting of the Common Council. During the reigns of Charles II. and James II., a great many attempts seem to have been made all over London to obtain charters for different markets.

412. (*Chairman*.) I presume outside the City?—Yes, outside the City. Before that, we find a great many regulations and proclamations which everybody is familiar with, to endeavour to limit the size and the spreading of London; and the reason given, good or bad, for nearly all of them, is the difficulty of finding victuals. However, these proclamations did not stop the growth of London.

413. (*Mr. Elton*.) The Act of the 31st of Elizabeth, cap. 6, I think, was one of them?—Yes, I have a reference to it here. During the reign of Charles II. and James II., there seem to have been an enormous number of these applications for new markets. Our records are full of oppositions to them. There were *scire faciases* and writs of *ad quod damnum*, with the result that they were found to be both *damnosa* and *injuriousa*; and a great many markets were refused on that account. But there were two markets granted, which have since become principal markets. For one of these, the Spitalfields Market, there seems to be no doubt that the Corporation consented to the grant of the charter. At all events, the fact was brought to the attention of the Corporation that such a charter was applied for and was to be granted. The fact also was, that a writ was issued for an inquiry *ad quod damnum* before the Sheriffs of London. But there seems to be no evidence at all that the Corporation ever opposed. Possibly some arrangement was come

to; I cannot tell. With regard to Covent Garden, the only fact that we can find is, that the matter was brought to the notice of the recorder that a charter was going to be applied for, for Covent Garden.

414. (*Sir Thomas Martineau*.) What was the date?—It was rather early in the reign of Charles II.

415. (*Mr. Charrington*.) Was that the beginning of Covent Garden Market, or had there been anything of the kind before that?—You will probably have Mr. Bourne here from Covent Garden; but I think you will be told that there seems to have been a sort of open grass space somewhere thereabouts, and that people coming into London with vegetables, and so on, used to come early in the morning, probably before the gates of the City were opened, and that they used to unload their horses and wagons; and that there was at all events a congregation of people with goods to sell there, and probably a sort of illegitimate forestalling, and a sort of market apparently held there. I happen to know a good deal professionally about Covent Garden Market, and I think you will get that sort of evidence when you come to deal with it.

416. An irregular market?—There is no doubt that there was an irregular sort of market held there.

417. (*Chairman*.) What has been the policy of the Corporation in recent times with regard to the establishment of new markets?—In recent times the policy of the Corporation has been to recognise and assist in every way the establishment of retail markets all over the metropolis. A good many markets have been established lately,—I am sorry to say without the good results that everybody hoped and anticipated from them. Only to-day I have learnt that the market which the Corporation took a great deal of friendly interest in, which was established by Mr. Plimsoll on the other side of the Thames, is now knocked up in fact. Columbia Market, which was established by Lady Burdett Coutts, is nearly in the same state, although they are now going to spend a great deal more money upon it in the hopes of bringing a railway in; but with regard to all these markets,—railway depôts as they call some of them,—we have never opposed them in the least. We have a stock clause, which we get put in all their Acts, that nothing shall be construed to be done in derogation of the City's right to show that it is not done in derogation of our charter; but we rather encourage them than otherwise. Our markets in London have really ceased to be purely London markets; they have become the great wholesale markets, certainly for England, of the different articles they deal with.

418. You use the phrase "retail markets," has that any definite signification, or does it merely mean a market on a smaller scale?—I mean a market where the goods are sold retail,—where the housekeeper comes himself and buys his goods for consumption. Covent Garden is about the only one of the large markets that is both a wholesale and a retail market. Covent Garden is very largely wholesale in fruit, and many other things, but it is also very considerably retail too. Billingsgate, to a certain extent, is a retail market as well, but you would hardly call it so; it is the wholesale fish market for the world. Billingsgate fish goes to Nice and Cannes and Monaco.

419. (*Mr. Little*.) Is not the meat market retail as well as wholesale?—It is entirely wholesale.

420. But you can go and buy a joint, can you not?—You can, and there may be a dozen or so joints sold in the morning. You can do it, but nobody does. It is a very remarkable thing that will strike you very much; it is very hard on the poor in London, and to a certain extent it is hard upon the producers in the country. The west end or ordinary London butcher does not kill anything; he goes to the Central Meat Market, and he buys the carcase with no offal at all, and he retails it. The consequence is that in London it is very difficult for the poor people to get what we know generally as the "fifth quarter," and

the farmer in the country has comparatively little sale for it, and he loses something by it. I have inquired of many butchers in London and they tell me that they have not for years bought and killed anything of their own.

421-2. (*Sir Thomas Martineau.*) But it is a great advantage to get rid of the nuisance of the slaughter-houses?—Yes, that is another question. But our markets, from the necessity of the thing, must always be the great wholesale markets for conducting the wholesale trade of the country. As you will hear if you go into the details of the Central Meat Market, the distances from which the carcases come to be sold, and the distances to which they are sent away, are very remarkable. The south-eastern part of England seems to me to be largely supplied from the Central Meat Market. Brighton, Eastbourne, Hastings, and all the towns in that part of the country, at certain seasons of the year, seem to depend entirely upon the London Central Markets for their supply. Of course we know that there are farmers, and that there is good land in the immediate neighbourhood of those places, and cattle and sheep ought to be produced very well there; but that is the course of the trade.

423. (*Mr. Harwood.*) You say you regret that the business should be entirely in the hands of these wholesale dealers, and that by that means the retail dealers and the poor people do not get the benefit which they would otherwise get. Supposing that there was a space to be let in this market, would the Corporation let it to a retail dealer if a retail dealer presented himself?—They would let it. As a matter of fact what retail trade there is, is done by the shops outside the market.

424. If you will excuse me, that is not the point. I have some experience of markets of a similar kind. Supposing that there was a space to let next week, and that a man came and said, "I am not going into the wholesale business, but I am going to sell the meat by the pound," would you let the space to a person who came to you in that way?—Willingly and gladly; and we rather hope that this new market (in drawing the Act I was particularly careful to make the words wide enough) at the south-western end may develop a small retail trade, certainly for fish and vegetables, and also for meat.

425. (*Chairman.*) You have put in, or are prepared to put in, I think, a list of the principal markets which are not under the control of the Corporation?—Yes. The principal markets not under the control of the Corporation are the Borough Market for fruit and vegetables, situated in High Street, in the Borough of Southwark; Covent Garden Market; then there is the Great Northern Potato Depôt at King's Cross, which has become a very large and important market (it is a market, but they call it a depôt); then there are Spitalfields Market; Columbia Market, which was established by Lady Burdett Coutts; Portman Market in Oxford Street, which has really dwindled away to very little; Newport Market, behind Leicester Square; Clare Market, just at the north side of the Strand; the London Riverside Fish Market at Shadwell, which was established under Act of Parliament as a sort of opposition to Billingsgate; the South London Market, which is Mr. Plimsoll's market, at the Elephant and Castle; the Hay and Straw Market, called Cumberland Market, just by Regent's Park, which is very small; and the Whitechapel Hay and Straw Market, where a fair trade is done, though hay and straw are not now sold much in any market in London.

426. (*Mr. Elton.*) What became of the old Hay-market?—It seems to have ceased to be a market for a very long time.

427. Thirty or forty years ago you would always see the hay waggons below the Opera House. I do not know how long it went on?—I cannot quite identify the character of that market. I have looked up a good deal about Mayfair, which seems to have been a market, and there is a sort of square which you go

down into. They called it the market in Brookfield, and Brook Street is close by. However, I have not gone very much into that, because it is now nothing but shops.

428. Do you include in these all the street markets which are going on now?—No; I do not, because it is so difficult exactly to get at them. There is a little sort of street market that goes on in Oxford Street almost opposite Stratford Place. A few years ago there used to be quite a long row of barrows generally selling shell fish and books and pamphlets, and things of that sort along there. Some of these undoubtedly are markets, but others, I think, are not markets.

429. (*Mr. Charrington.*) Used there not to be an Oxford Market very close to Oxford Street?—That was called Portman Market. It is very difficult to ascertain exactly what all of these are. Some of them I should think probably are merely a convenient aggregation of hawkers.

430. (*Mr. Childers.*) You used the expression that the city markets had ceased to be London markets only, that they are for all England, and that most of them are wholesale; does not that imply that the original object of the charter has entirely disappeared?—The object of the charter was, I suppose, to supply food.

431. In retail markets for a growing town?—Yes.

432. And that has completely disappeared now, and the mass of the city markets are really as different from their original intention as the great warehouses are from the shops in the City?—I should think to a certain extent that is so, and I suppose that would very likely be the reason why the Corporation seem, so far as I can gather, never to have opposed the erection of retail shops selling the same class of goods all round their markets. At the Central Meat Market you will see all along one side that the place is all butchers' shops which do not pay us anything, they are just as free as if they were bootmakers' shops.

433. (*Mr. Harwood.*) Do they sell wholesale in those shops?—I do not know whether they do or not; I should think probably not.

434. (*Sir Thomas Martineau.*) Are you under the Markets and Fairs Clauses Act?—No, I think not. The clauses of the Markets and Fairs Clauses Act are clauses that are to be inserted in special and local Acts. As a matter of fact, pretty well all those clauses that would apply to us are in our different Acts, I should think.

435. So that you are regulated by your own Acts without the incorporation of that Act?—Yes.

436. (*Mr. Little.*) The markets that you last named as not being under the control of the Corporation, you have nothing to do with?—Nothing at all.

437. (*Mr. Harwood.*) It is generally understood that no one can set up a market within the district in which the market right is in operation; do you attach no importance to the profits that you make out of your markets?—I am afraid that we do not make them.

438. Then you say that you do not object, provided that you do not forfeit your rights, to anyone setting up another market in opposition to your own?—No, in modern times we have never done anything of that sort. It is a thing that the trade settles for itself, and you had much better leave the trade alone. If all the people who want to buy, and all the people who want to sell, come together, they are sure to keep your market going.

439. (*Mr. Elton.*) I understood, with reference to a question that has been asked by the right honourable gentleman, that your view was that part of the object of establishing the London system of markets was to enable the surrounding districts to get rid of their produce, as well as to supply the people of London?—Not the London markets specially, but markets generally all over the country.

440. You do not make any exception for London?—No.

441. Do I correctly understand you to say that there is any small limited district around the ancient

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city of London, which was intended to be exclusively benefited?—No, I do not think so.

442. London has always been a place of general resort for merchants in the gross, has it not?—Undoubtedly. Though London was not actually a member of the Hanseatic League, the Hanseatic League merchants had exceptional privileges in London.

443. London was a general resort for merchants trading in gross from the very earliest times, was it not?—Certainly, from Saxon times.

444. I will take you earlier than that; Tacitus says that it was a celebrated resort of merchants?—Yes.

445. And your research has led you to think that in Saxon and Mediæval times also the same character attached to it?—Certainly and undoubtedly the different regulations of Stourbridge Fair, and so on, show that the Corporation markets and others were at that time wholesale markets.

446. And the great City of London itself was a market?—Yes.

447. And when the merchants came to London, London became a market itself in that sense?—Yes, the whole city was a market overt.

448. Looking back historically, do you consider that the trading in gross, if I may keep to that phrase, at the present day is totally inconsistent with the history of the City?—I think certainly as far back as the Plantagenet times ours were as much wholesale markets as the circumstances of those times would permit of their being.

449. You do not consider that it was restricted as a village market might be to a district seven miles round, and no more?—No, certainly not.

450. You do not anticipate a forfeiture for supplying distant towns, such as you mentioned?—No; but it is a curious fact, that, whatever the article is, whether it is food or manufactured goods, or whatever it is, the trading in that particular article will fix a wholesale market, which will govern the price, somewhere or other. If it is iron it is at Glasgow or somewhere else; if it is cotton it is the Manchester market; if it is consols it is the same thing. Whatever the article is you will find that there is one market for it and one market price.

451. There is a staple town which fixes the price of the staple trade?—Yes; and the larger you can get the market, the larger number of buyers and the larger number of sellers you can get together under that roof or on that pavement, the better it is for the trade of the country, and the less you get corners and rings, and so on.

452. Are you going to put in, for the use of the Commission, copies of some of the documents and charters that you have mentioned?—I will do whatever the Commission would like about that. The number is very large. I have got everything that I have referred to indexed up, so that I might send in afterwards what I think most likely to be of interest, and if there is anything else you shall have it. I have all these markets separately.

453. (*Mr. Charrington.*) I think you observed, in speaking of Billingsgate, that it was a place where fishwives would go and buy from the fishermen who brought the fish alongside, and retail it elsewhere; it has now become, I think, a wholesale market, and there is Leadenhall, which is to some extent a retail market; is it the general tendency of all markets, from being retail, to become wholesale as they have grown in importance?—Leadenhall is retail entirely.

454. It is wholesale also, is it not?—One man there deals very largely in game; I suppose you would call him a wholesale dealer. I do not think I should call Leadenhall Market entirely wholesale; I should call it very much more retail than wholesale. Leadenhall Market is a curious sort of market in itself; it is really only an aggregation of shops. There are one or two people in a very large way of business. I cannot answer that question definitely, as to whether there is a tendency for a small retail market to become a wholesale market when it becomes larger.

455. You do not find that your new markets, which you have built at Smithfield, have become wholesale?—They were wholesale for years before. A market very soon shows its character, whether it is going to be a wholesale market or only a retail market.

456. They are not places to which persons would go to buy provisions for their own consumption?—No; but in the case of this new vegetable market that we are building, the object is specially to make it a retail market. I remember the late city solicitor, Sir Thomas Nelson, a man of considerable experience with regard to London life, saying (and his remark struck me as being a very good one), "We may put everything that it is possible to put in an Act of Parliament, but you will never make English people go marketing; they always will go shopping."

457. (*Sir Thomas Martineau.*) But you would not limit the quantity that a man sells?—No, but you do it by making the accommodation for stalls and everything suitable for a retail trade.

458. (*Chairman.*) You find, as a general rule, that the tendency of the people is rather to buy through the intermediate agency of shopkeepers than in the market?—Yes, London is a very large place, and it is a long distance for anybody to walk down to the market. Your greengrocer, your butcher, and your baker come to the door. In a small French country town everybody carries a basket on his arm, and buys whatever he wants for the day. In London it is not so, and cannot be so. But with regard to the poor, there is one point that must never be overlooked, and that is, that London is better served than any town I have known or ever heard of by the costermongers with the street barrows; and the quality of the goods that they sell is very excellent. When I come to deal with Billingsgate Market I should wish to call special attention to that fact. That brings the market to the poor man's door in a way that is not done that I know of in any other town in the world. There is an immense amount of interesting matter with regard to all these markets. I would run through them, giving a general outline of them, and then you would see which of them you would wish to follow up.

459. I believe you are prepared now to give us information more in detail with regard to each of the Corporation markets?—I am.

460. Will you kindly do that, following your own order?—Yes. The order that I have put down here is: the name of the market; the character of the market; how and when established; the Acts of Parliament relating to it; the tolls and byelaws (copies of which will be handed in); the lettings of the stalls; the market days; the supervision and inspection; the water supply; the railway accommodation; the mode of supplying and distribution; the mode in which the business is conducted; the returns of the prices; and the staff employed at each market.

461. Will you first give those particulars with regard to the London Central Market?—The name of the market is "The London Central Meat, Poultry, and Provision Market," but it is always called The London Central Market. That is a market for the sale of meat, poultry, and animal food wholesale and retail, although the greater part of the trade is wholesale. It was established under the provisions of the Act of 1851, which cleared the site by moving Smithfield Market to Islington; and the building and regulation of the present market have been carried out under the provisions of the Acts of 1860, 1861, 1875, 1882, and 1886. The tolls and byelaws are bound in the same book. The tolls are as follows: "For any quantity not exceeding 21 lbs. of meat, poultry, and other provisions the sum of one farthing," and so on in proportion for any greater quantity. There is a charge for weighing, for any quantity not exceeding a cwt., of a halfpenny; and for every additional cwt. a halfpenny.

462. You say that the toll is a minimum of one farthing, and then increasing in proportion to the quantity?—It is a farthing for every 21 lbs., so that it comes to a small fraction over a penny a cwt. I will

hand in the byelaws, but I do not think there is anything in them to call attention to particularly. The whole market is fitted up with large places for the accommodation of the carcass butchers, and so on; and I have here the form of agreement for letting the stalls. The lettings are all weekly, although, as a matter of fact, the same tenants stay on. The money is collected weekly, and there is a weekly notice; and we are very stringent against sub-letting, because the stalls are let rather cheaply, and there is no doubt that they would be at a very considerable premium if they were allowed to be sub-let.

463. (*Mr. Little.*) Does the rent include all rates?—The rent includes all rates.

464. Does it include gas and water?—Water is a very expensive item; I think they pay for gas. Some of these places have large counting houses upstairs over them.

465. They pay nothing for water?—I think they pay nothing for water. There may be one or two cases, perhaps, where they pay for water, but, as a rule, at that market, I think there is no return for water, and I may say, that the water is exceptionally dear there, because it is on the higher service, and it is 7½d. per 1,000 gallons. Then with regard to market days; every day, except Christmas Day, Good Friday, and Sundays, is a market day. The Corporation have power to close the market on special days if there should be any reason; but, in fact, the biggest trade is done on Fridays in the winter and on Saturdays in the summer. There would seem to be no particular reason why it should be so, but that is the fact. Then as to the supervision and inspection, we have a clerk and inspector there who looks after the arrangements of the market itself, but the supervision of the meat and so on is carried out by the Commissioners of Sewers, so as to keep the matter quite clear from the Corporation; the Commissioners of Sewers appoint the inspectors, and they condemn any meat. The supervision of the meat is very careful, and very close, and you constantly see in the papers that people are prosecuted for sending inferior meat to market. The water supply is all by metre and goes up into cisterns. Some of the new market which we are building down below will be at the lower level, and that will come into the 6d. rate. Then with regard to the railway accommodation: when this market was built, an arrangement was made with the railway companies to bring the railway through the market. This is the London, Chatham, and Dover Railway (*pointing it out*), and this is the Metropolitan, over which the Great Western have running powers. Great expense was gone to with regard to this. There is a complete lower basement where all goods can be delivered. Eleven lifts were prepared for and every arrangement was made. As a matter of fact, however, on account of the cost of the extra handling which is incurred, the railway accommodation is scarcely used at all, and it is nearly so much dead money. The only railway company that do any sort of trade to speak of, is the Great Western; they bring in a certain amount to one lift, but the great bulk of the enormous quantity of meat that comes every day into London is brought by horse and van, and is taken away by horse and van. The reason is, that a particular horse and van can come to this or that place, wherever it may be, and the meat comes so close up to the stall that it is merely taken on a man's back and away it goes. The railway accommodation on which all this money was spent has proved in practical working to be of little or no value.

466. The Scotch meat is transferred from the railway to a van, and is brought up to the market, and then taken away by a van again?—Yes, that is found to be cheaper. With regard to the mode of supplying and distribution, the supply comes from all over the kingdom, England, Ireland, Scotland, and everywhere. Of course, the amount that is killed in the neighbourhood of London is quite insignificant. It comes by rail to the goods stations of the different railway companies, and is then put in vans, and carried

to the market, and is then sold there, and distributed again by horse and van very largely to the different railway companies, and, of course, very largely to the different parts of London itself. The business is conducted in two channels of purchase and sale. One is by the commission agent, as he is called in this market, who is, in fact, what would be called a broker in other markets. A man in the north sends up his carcasses to a commission agent, and the commission agent does the best he can for them, and sells them. There are also carcass butchers, who are the people who would buy animals at Islington, or any of those places, kill them themselves, and bring the carcasses themselves, and sell them. But the commission trade, I am informed, is in the proportion of about five to one to the carcass butchers. With regard to the returns of prices, there is no official return of prices. I have a return here of the total weights received into these markets, which is made out because of the question of collecting tolls; but the Corporation or the Government have no official returns of the prices at which the goods are sold. As a matter of fact, the newspapers publish daily the prices, and when I made an inquiry whether those were prices that could be relied upon, I think as many people told me that they were perfectly unreliable as told me that they were perfectly reliable; but the complaint with regard to them generally is that a price is quoted as being from about 2s. 2d. to 4s. 8d., that sort of margin rendering them perfectly useless.

467. And being made by people who are chiefly commission agents, they have an object in representing the price as high as possible, in order to draw other consignments?—Exactly.

468. (*Mr. Childers.*) Are they bought and sold on bought notes and sold notes, or are there many parole transactions?—I cannot answer that question; I have not inquired about that.

469. (*Mr. Little.*) Does the return of weights of which you spoke distinguish the source of supply?—No, the source of supply varies so very much according to the season of the year. One gets the grass-fed beasts from the grazing districts through one portion of the year, and the byre-fed animals through another portion of the year. Every month has its own peculiar character, but the variation is very constant, and they always know when to expect the different kinds of meat.

470. Would it be possible to obtain some statistics as to the sources of supply at different periods of the year?—Yes, I think when you see Mr. Stephens, who is the clerk and superintendent of the market, he will be able to answer a great many of these questions straight off; and the other information he will be able to get for you with great certainty. As a matter of fact, he could tell you very much what the return of prices is, although he does not return it officially. In 1886, the largest quantity of meat came into the market, and the weight was 250,831 tons. The staff consists of Mr. Stephens, who is clerk and superintendent; 18 clerks, 27 constables, two labourers; and then there is the jobbing staff, who are always repairing and painting, and so on. I think those are the principal facts relating to that market. I do not deal at all with the accounts, because the Chamberlain is coming to give evidence before the Commission.

471. (*Chairman.*) You mean as to the cost of construction and maintenance?—Yes, I leave that entirely to the Chamberlain.

472. I believe you are prepared to give the Commission some details as to the London Central Fish Market?—The London Central Fish Market is for the sale, wholesale and retail, of rail-borne fish. The Act of Parliament under which it was established is dated 1882. The actual building was constructed under the powers of the Central Markets Act, 1875; but, before it was completed, a great demand sprung up, in opposition to what was called the "Billingsgate ring," for establishing another fish market, especially for rail-borne fish. Accordingly, in 1882, we introduced this Bill, converting the building, which was

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then not quite finished, into a fish market; and from 1882 down to the last few months, it has been conducted as a fish market. The Corporation have taken every step that could be suggested to them to push it as an inland fish market, as an alternative to Billingsgate. They have had an official salesman; they have broken bulk of everything before it was sold; they have tried every suggestion that could be made; but whatever they do the public do not seem to care for it. The result has been a loss, as the City Chamberlain will tell you, of something like 8,000*l.* a year to the Corporation since the market has been opened, and we get thanks, but nothing else, for our pains. It has not answered. The fish is bought at Billingsgate, it comes there to be sold wholesale. We are now, under the Act of 1886, going to restore the larger south-western block to its original destination as a fruit and vegetable and general produce market, and we are going to move the fish into the triangular block a little more to the southward and eastward. We are still going to keep it open, but more as a retail fish market; at all events, we are going to try it for a few years more, and we are not going to abandon the project altogether. We are building a new market over the railway, and we have some hopes that as a retail market it may be to some extent a success.

473. I suppose the attempt to establish this market originated in complaints of the monopoly at Billingsgate?—That was the origin of it.

474. The public wanted a new market, and now they have got it they do not care to go to it?—That is so. Of course the Corporation feel bound to make all these experiments; some of them succeed and some of them are failures; we must not expect everything to be a success, and we do not complain about it; but we feel that it is due to the public that we should make these endeavours; when they are successful we are very happy, and when they are not successful we say as little as possible about it. The London Central Fish Market being an inland market, the toll is charged upon vehicles. Vehicles with two wheels pay 1*s.* 6*d.* each; exceeding two wheels (that would be four wheeled waggons) 2*s.* 6*d.*; and a toll is charged on fish brought into the market in every other way of a penny on every cwt. or fraction of a cwt. On fish coming into the market in waggons with four wheels, the toll would probably be rather less than a penny per cwt., because they carry enormous loads; at all events it cannot exceed a penny a cwt., the object being to keep the tolls as low as the Billingsgate tolls. The lettings of the stalls are weekly, and the same general form is adopted as is used for the lettings in the London Central Market.

475. (Mr. Little.) Proportionate to the accommodation and the situation?—Yes; of course some are large and some are small. There are no market days; the market is open on every day in the week except Sundays. With regard to the supervision and inspection, Mr. Hanman is the clerk and superintendent, and the Commissioners of Sewers Inspectors look at the goods and produce to see that nothing is exposed for sale that is unfit for human food.

476. (Sir Thomas Martineau.) Are prosecutions sometimes instituted?—There would be if there was any necessity for them. I cannot say whether anybody has been prosecuted.

477. (Mr. Little.) The inspectors order the destruction of fish?—Yes, that is done by the Fishmongers' Company. All this supervision and inspection the Corporation keep themselves entirely clear of, and allow somebody else to inspect and supervise, in order that nobody can ever say that, doing it themselves, they do it in a perfunctory manner. We rather encourage supervision and inspection by someone over whom we have no control. The Fishmongers' Company appoint what are called "fish meters," who, from the name, I suppose, formerly had other duties. The fish meters are really fish inspectors, and it is their duty to actually take and destroy (as they do) all unwholesome fish. The Corporation have nothing

whatever to do with it, except that they give these officers facilities for carrying out their duties.

478. (Sir Thomas Martineau.) Do you know whether there is, either in this or in the meat markets, any such institution as a jury of tradespeople, say a butchers' jury or a fishmongers' jury?—No, there is not; these inspectors are absolute. In the case of meat they condemn it, and prosecute the man directly.

479. We have such an institution as I have spoken of in Birmingham, and we find that it works remarkably well as a sort of step between the condemnation by the inspector and the prosecution. It is a jury appointed by an association of the tradespeople, and it has had a very good effect?—There is nothing of that sort in the London markets. As I say, we have no control over the fish meters, who are appointed by another body. The water supply of the London Central Fish Market is from the New River Company, and, the market being on the lower level, the cost is 6*d.* per thousand gallons. The railway accommodation is the same as that for the rest of the meat markets, except that part of the London, Chatham, and Dover Railway runs actually under the building, which is built on girders over the railway; and it is possible that hereafter, if necessary, some landing accommodation might be built, but that is not in contemplation at the present moment. The mode of supply and distribution in the existing fish market is entirely by rail, but the fish is brought by van in very small quantities to the market, a considerable portion of the supply, in fact, coming from Billingsgate or through the Billingsgate dealers.

480. (Chairman.) Then the supply to the market is not by railway?—To a certain extent it is; but if fish is sent, for instance, from Grimsby to this market, the chances are that it is sent to this market on the order of a Billingsgate man.

481. (Mr. Little.) It does not necessarily go into Billingsgate?—It does not necessarily go into Billingsgate, though some of it, I believe, actually does; but it is done through the Billingsgate trade. As to the mode in which the business is conducted, one of the schemes which the Corporation tried was the appointment of a very experienced person, Mr. Rudkin, as an official salesman, so that people with small quantities of fish all round the coast could consign to him, as the official salesman, their fish, which would then be sold by auction at a very nominal charge. The Corporation paid the official salesman a certain fixed salary and one of the supposed advantages was that, instead of the fish being sold by auction in trunks or boxes, of which you could only take off the lid, the buyer could break bulk and examine the whole parcel of goods; and it was thought that that might be a great attraction to the shop-keeping fishmongers in London to come and buy their goods there. However, it did not succeed; the fishermen and fishing companies on the coast did not take it up, and the official salesman, Mr. Rudkin, has now found other employment, and that is given up altogether. In fact, we have had to confess that it has been a failure. With regard to the returns of prices, there are no official returns of prices, but the official salesman for many years kept a record of the quantity of fish that came into the market, and took a great deal of trouble in the matter, in analyzing its destination, and so on; but it came after all to nothing more than that it was a retail trade. The staff at this moment consists of the clerk and collector, Mr. Hanman, three clerks, three constables, and two labourers. The constables are not policemen, although we swear them in as constables in the City.

482. Will you now give us the particulars with regard to Farringdon Market?—Farringdon Market is the old vegetable market, which will be moved as soon as the new buildings are complete. The first Act relating to it was an Act of 1824; the next Act was in 1875, when it was contemplated to move it to where the Central Fish Market now is; and the last Act was in 1886, which again provides for the removal of it when the new buildings are completed. The tolls are rather lower than those of Covent

Garden. The principal toll is a toll of 1s. for a waggon or waggon stand, that is, room for a waggon. As the waggons generally bring in rather more than two tons, that would of course be a very small toll; but a tenant paying 5s. per week of regular rent has all his goods in toll free.

483. Have you ever had any complaints of your tolls?—No, not of the tolls. There is a complaint with regard to the charges at the Deptford Cattle Market, but with regard to the tolls there is no complaint; they are so very low all through. Of course, as one expects, at the different markets, every tenant thinks his neighbour has a very much cheaper bargain than he himself has; but there is no complaint of the tolls, or that there is an undue profit made out of the markets. In fact, as you will see, the markets are no great source of income, but rather a source of loss. The business at Farringdon Market is entirely retail business. It is a market of quite a secondary character, which supplies just the neighbourhood around. All the produce comes in in carts and waggons from the immediate neighbourhood of the metropolis. There are a few weekly lettings, or "pitches," as they call them, and when the tenants pay 5s. a week for them they are toll free; but the market accommodation is very poor. The market is always open, but as at Covent Garden and other places, there are certain more or less established market days. The market days at Farringdon Market are Mondays, Wednesdays, and Fridays, whereas at Covent Garden, the Borough Market, and Spitalfields Market, the market days are Tuesdays, Thursdays, and Saturdays, taking the off days. The water supply is from the New River Company. Of railway accommodation there is none, and there is no official return of prices. You see the prices occasionally quoted in the newspapers, but it is a very small affair. The staff consists of three clerks, three constables, and two labourers.

484. Will you next give us the particulars in the case of the Smithfield Hay Market?—The Smithfield Hay Market is just on the outside of the circular approach to the underground portion of the central markets; it is quite in the open air. The tolls are as follows:—Hay: 6d. per load toll upon all hay sold upon the market; in addition, 1d. per load is charged for entering the sale in a book provided under the Act of Parliament. Straw: No toll, but 1d. is charged upon every load sold, for entering the sale in the book provided under the Act. Where hay or straw is exposed for sale in the market, and not sold, neither entry fee nor toll is charged. The trade done there is extremely small; as a matter of fact, all the hay and straw now-a-days is sold at the railway depôts.

485. The trade has taken that course?—Yes. Nobody would take hay and straw off the railway to bring it to a market like this and then sell it away again. It can be only, like the Whitechapel market, a market for the hay and straw grown within about the day's journey of London.

486. Is it a retail market?—Yes.

487. (*Mr. Little.*) They do bring hay and straw to that market all the way from Sawbridgeworth by cart, do they not?—There is very little public market for hay and straw at all; it is generally sold by private contract.

488. (*Chairman.*) Will you now give us the details as to the Metropolitan Cattle Market, Islington?—The Metropolitan Cattle Market, Islington, is a market for the sale of live stock of all sorts, and it is also a scrap market. It was established originally under the Act of 1851, which was an Act for providing a metropolitan market and conveniences in lieu of the cattle market at Smithfield. That Act was in great part repealed and amended by the Act of 1857, which is the Act under which the market is conducted at present. I have here the tolls and bye-laws. The tolls are: for horses, 6d. per head; for beasts, 6d.; for sheep, 1½d.; for calves, 3d.; and for pigs, 1½d. There are belonging to the Corporation, adjoining the market, certain lairs which are let in weekly holdings.

There are also slaughter houses belonging to the Corporation which are let in weekly holdings; and there are a great many slaughter houses which do not belong to the Corporation, but are private property. The market days are Mondays and Thursdays for cattle, sheep, calves, and pigs; and Fridays for horses, donkeys, and mules. Then, also, on Fridays there is what they call the scrap market, where carts and waggons, old iron, rags, every sort of odd and end, and every conceivable description of manufactured goods that are not new, are sold; and there is a very large attendance of people to buy and sell there. Mr. Baldry is the clerk and collector, but under him there is a lairage clerk, a toll clerk or check clerk, a night clerk, five gatekeepers, four constables, a messenger, a lamplighter, 20 mechanics, and 20 scavengers.

489. (*Mr. Little.*) Then there are the licensed drovers; you do not enumerate them among your staff?—No. With regard to the acreage of the market, the inner portion for the sale of animals, which is called the market proper, is 15 acres in extent. Then there are beast lairs occupying 8½ acres; sheep lairs occupying 4½ acres; banks and offices, and places of that sort, occupying 2 acres, 3 perches; and a paddock occupying 13 acres.

490. What is that used for?—To turn cattle in when they arrive by train. Then there is another paddock and slaughter houses occupying 9½ acres, another one occupying 4 acres, and another one occupying 3 acres. The roads occupy 4 acres 3 perches. The total acreage is 75 acres 3 roods 27 perches.

491. Does that include the inns?—Yes, there are three or four inns.

492. (*Sir Thomas Martineau.*) Do they belong to the Corporation?—Yes, they are on the ground; they are let on lease.

493. Are they let on lease to licensed victuallers?—Yes. Part of one of the paddocks has since been built over, so that that would rather reduce the area. Then, of course, there is a very large quantity of water consumed. The water supply is from the New River, for which they pay 6d. per thousand gallons; but in all the slaughter houses the tenants repay to the Corporation a portion of the money. The Corporation pay by metre to New River Company, but the tenants of the slaughter houses repay a portion of the money to the Corporation. There is a Privy Council Inspector, Mr. Cooke, and the Corporation also appoint a Veterinary Inspector, Mr. Rayment. Every bullock and every sheep that comes into the market is inspected as it comes in, or as soon after as is possible.

494. It is just passed in?—Yes. With regard to the railway accommodation, the railways bringing the animals to London have their termini, some within a mile, and some within a quarter of a mile, as follows: the Midland, the London and North-Western, the Great Northern, the North London, and the London and South Western, having running powers over the North London; so that, in fact, the market is in railway communication with the whole kingdom. The mode in which the business is carried on is this: the largest market, by a good deal, is on Monday. The people write to Mr. Baldry, the inspector of the market, and say what cattle they have coming up. He and his assistants know pretty well to a head how many to expect, and they make all their arrangements to receive them and to tie them up. The accommodation is very large. The market holds 7,000 bullocks, and 20,000 sheep, and there are 23 slaughter houses. The inspector gets notice on the Sunday what accommodation will be required, and makes his arrangements accordingly, and so far he has always been able to accommodate everything that is sent.

495. The market accommodation is in excess of the requirements, is it not?—It was originally. The Inspector has hitherto been able to accommodate everything, but I think he will tell you, if you see

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him, that the time has come when undoubtedly we shall have to go on enlarging this, as other markets have been enlarged. Mr. Baldry makes a return of the prices himself, and has always done so ever since he was appointed; but under what order or authority he does so, does not appear. He sends the prices daily to the "Times," and weekly, I think, or monthly to the Corporation and to the Privy Council; but why he does it, he himself says he cannot remember, except that when he first came there he understood that it was part of his duty to do so, and he has been there practically ever since the market was opened, or within a year or so of its being opened, so that his experience is, no doubt, very considerable.

496. It is a return of the estimated prices?—Yes, of the estimated prices as nearly as he can get them.

497. (*Chairman.*) That is, I presume, the average of a considerable number of prices?—It is the average of a considerable number of prices. The numbers, of course, he checks off for the purposes of toll. This information can be supplied at any period the Commission would wish. The lettings are weekly of the lairs and slaughter houses, but principally the slaughter houses.

498. (*Mr. Little.*) Not of the stands?—No, the toll covers that.

499. Are the sales made entirely by salesmen, or partly by salesmen and partly by the owners of the animals?—The salesmen do practically all of it.

500. But there is no obligation to send to a salesman, is there?—No, certainly not.

501. There is nothing to prevent anyone bringing his cattle into the market, paying the toll, and selling them himself?—No; but they come from a considerable distance, and practically the heavy trade is done by the salesmen. The producers attend, but even then they trade through the salesmen. The cattle are not sold by weight. Although there are weighing machines there, they never seem to use them, according to Mr. Baldry, nor does there seem to be any desire to use them. They sell entirely by hand, and being men experienced in making calculations, they are very seldom 7 lbs. out in the weight of a beast. There are very few lean stock sold. At certain periods of the year a few Irish store beasts are sold; but, as a rule, they are all butcher's meat.

502. Have you any statistics of the places from which the cattle come?—Such statistics exist; but there is so much of that to go into, that I thought perhaps it would be more convenient to take that from Mr. Baldry; you will want to see him, and it is such a very important market that I thought it was better for me not to deal with these figures, which I have only received from him.

503. Do foreign cattle come in there at all?—Foreign cattle from the clean countries come there. Canadian cattle are landed at the docks or at Thames Haven, and are then driven there.

504. From countries with a clean bill of health?—Yes. I do not know that any under that category actually go there, except Canadians.

505. (*Chairman.*) Will you now give us a description of Leadenhall Market?—Leadenhall Market is a very ancient market. It seems always to have been a market for the sale, more or less, of poultry, game, pet rabbits, foxes, and so on. At one time there seems to have been a considerable hide market also, but that has disappeared. The market is open every day. We call it a market by prescription, pre-supposing a Royal grant, but we do not know when it was established; we know of it as a very early market, and that is all. The first Act of Parliament relating to it is the Act of 1871; it was partly rebuilt then. Then the next Act is the Act of 1879 for abolishing the then Leadenhall Market, for the improvement of the site and neighbourhood thereof, for the formation of new streets, and the establishment of a new Leadenhall Market, and for other purposes. As a matter of fact, the Act was taken in that shape, because the market was moved a little bit off the site; although part of it is actually

on the site, it was considered as a matter of bill drafting necessary to do it in that way.

506. Was it opposite the Old India House?—The Old India House is a little further on. There are no tolls in the market. The whole market is let in small open shops.

507. Then how do you recover the expenses?—By the letting of the shops. There is a certain plan, and the rent of the shops is fixed at certain prices, running from 3½d. down to 2d. per square foot per week.

508. (*Sir Thomas Martineau.*) Are they all weekly lettings?—They are all weekly lettings.

509. Are there no leases at all?—There are no leases in the market proper. In some of the approaches there are shops of a different character altogether, which were erected when the street improvement was made, and those are probably let on long leases.

510. Do they belong to the Corporation?—Yes. The whole thing was really more of a street improvement than anything else. The old Leadenhall Market was a dreadful place, with very narrow alleys. The market days are every day in the week. The supervision and inspection are carried out by the Commissioners of Sewers, who inspect the quality of the goods. At the present moment there is no clerk, in the sense of a market clerk, because there are no tolls to collect. The water supply is from the New River Company. There is no railway accommodation. The mode of supply is nearly entirely the shopkeepers' buying on their own account, and selling again, although there is a certain amount done on commission; but that is comparatively small. There is no return of prices.

511. (*Mr. Little.*) Is it a butter market as well?—Yes, for dairy produce.

512. Are there consignments for sale?—There are, but they are not large.

513. (*Chairman.*) I understand you to say that it is entirely a retail market?—It is almost entirely a retail market. It is more what you would see in many places called an arcade.

514. Will you now give us the same information with regard to the Billingsgate market?—Billingsgate Market, again, is one of the oldest markets in London, and always has been simply for the sale of fish, including shell fish. The first Act of Parliament dealing with it is the Act of William III., to which I have already referred, making it a free and open market, so that all people could come there to buy and sell. Then there was an Act in 1846, 9 & 10 Vict., which sets out in the preamble an enormous number of other Acts of Parliament dealing generally with fish, and the trade in fish round the coast, and so on, all of which were repealed by that Act; and that alters and amends the original Billingsgate Market Act of William III. This Act of Victoria settles the tolls, and is generally for the conduct of the market. The tolls are: "On every peter boat with river fish, 6d.; on every small boat, wherry, or skiff, 1s.; on every hatch boat, 1s. 6d.; on every great boat, smack, or vessel laden with lobsters, mackerel, fresh herrings, sprats, or plaice, 2s. 6d.; and on every great boat, smack, or vessel, lighter, barge, or other craft, laden with salmon, or barrels of red and white herrings, cod-fish, haddocks, or any other fish not otherwise enumerated, 5s.; on every tug-boat barge, smack, or vessel not more than half laden, 2s. 6d." Then for vehicles with not more than two horses, 1s., and with more than two horses, 1s. 6d. The next Act is that of 1871, under which the present building was constructed. I hand in a copy of the byelaws and tolls. The tolls are now slightly altered in this way, that they describe the boats in a different manner: "For every row-boat with river fish, 9d.; for every vessel not exceeding five tons measurement, 2s.; not exceeding ten tons, 4s.," and so on; "exceeding a hundred tons, then for every ton and part of a ton, 6d.;" vans and carts with two wheels

each pay 1s. 6d., exceeding two wheels, each, 2s. 6d. "Tolls to be charged on fish brought into 'the market' in any other way, per cwt. and for every fraction "of a cwt., one penny." As a matter of fact, no fish does come in in any other way; and taking the tolls out as against the quantities of fish, the tolls come to some small fraction over a half-penny per cwt.

515. So that, practically, they are immaterial?—Practically they are immaterial. The market days are every day in the week, but Friday is rather the largest market day, and the reason that is assigned for it is, that the Jews are great purchasers of fish to eat on the Saturday, their Sabbath; and to that extent the Friday's market, weather permitting, is a much heavier market than on any other day of the week all the year round. The supervision and inspection are carried on by the Fishmongers' Company. They appoint fish-meters, whose business is to inspect, and who do actually inspect, every morning all the fish that arrives. When they see fit to condemn any fish they are autocratic, and they condemn it, and it is then put into carbolic acid tanks in barges and carried down the river to Rainham marshes by a contractor, who is paid by the Fishmongers' Company. I understand it is ultimately converted into manure. Occasionally one sees in the newspapers that a very large quantity of fish is condemned, and anybody who notices it will generally notice that when any fish is condemned it is not a pound or two, but a large quantity. The reason of it usually is, that when fish has been caught at sea, the smack-men have not brought it ashore, but put it into carrier boats; when a carrier boat has a very fair wind, it is considered a very great advantage to sail straight away from the Dogger Bank in the North Sea, and bring the fish straight alongside in the carrier boat to Billingsgate market. The fish that is so brought alongside to Billingsgate market fetches a good deal more money than fish which has been handled once or twice; so that if they have a fair wind and think they are pretty safe, they are very glad to run straight to market. But occasionally the wind fails them or changes, and the fish misses to-day's market, and by to-morrow's market it is no longer fit and saleable, and it is condemned and thrown away. The great weight of fish which is condemned and which is not classified, consists of periwinkles and the smaller classes of shell fish. Every now and then there is a great catch of them somewhere on the coast, and they shoot them into the holds of vessels just as they are, and bring them alongside. Sometimes these shellfish go off suddenly, and that accounts for a great portion of the weight that is condemned; but we have no reason to suppose that bad fish are to any extent intentionally sent to the market.

516. I suppose the Fishmongers' Company have statutory powers for this interference?—I do not know of any statutory powers.

517. (*Mr. Elton.*) They have charters?—They have.

518. (*Chairman.*) How long have they exercised this jurisdiction?—For very long; for centuries at all events.

519. It is not a revival of an old practice, but it has been continuously in their hands?—It has been continuously in their hands, and is very actively looked after by them; they attach great importance to it, and feel great responsibility, and the work is extremely well done.

520. (*Mr. Little.*) It is sometimes said that large quantities of fish are destroyed for the purpose of keeping up the price; they would not be condemned by the Fishmongers' Company for that purpose?—No. I have heard of that on the coast as well as in London; but I have never myself known of any single case that one can trace. If it is done at all, and I should very much doubt its being done now a days, it is done at sea. Instead of transferring the fish to the carrier boat, it would be thrown overboard; but I should doubt its being done at all. The Commission will be quite surprised at the lowness of the wholesale

price of fish. There really is no margin for its getting so much lower that people would destroy fish sooner than sell it. The stall accommodation in Billingsgate market, like all other markets, was thought to be too large when the market was built a few years ago; but it is now hardly big enough for the accommodation that is required. There is a basement and ground floor level, and offices on the first floor. The accommodation below is where people can leave their baskets and so forth, but there is no refrigerator or anything of the sort. The lettings are weekly, and have regard to casual trade. If a fisherman catches fish near the mouth of the Thames, and he has a fair wind, he can bring his fish up the river to Billingsgate, and stand over it and sell it himself, although it is not a thing that is habitually done. The corporation make this special reservation in their lettings, by paragraph 4:—"The tenant doth hereby expressly agree that when and as soon as in the judgment of "the said clerk and collector the business carried on "by the tenant at the said stall or standing shall on "each day be finished or concluded for that day, it "shall be lawful for the said clerk and collector from "time to time to place in the said stall or standing, "such person or persons as he may think fit, to use "the same for the sale of fish during the remainder "of that day, upon such terms and conditions and in "such manner as the said clerk and collector shall "deem requisite and proper." As a matter of fact it amounts to very little, but still the fish does come in that way. A man, if he has an opportunity, telegraphs, if not he sees the clerk and collector at once, and it is the duty of the clerk and collector to find a place for any man to sell his fish who demands it. That seems to be the law of the market, and as a matter of fact, when the fish does come the clerk and collector does manage to find them room somehow or other; but the amount that comes in that way is, of course, exceptional and small. With regard to the water supply, there is a very large quantity of water used there, and that is partly explained by the fact that they keep in the basement a considerable number of live eels, and so on, and they are obliged to keep a constant supply of running water for them; and of course the sluicing down uses very large quantities. The occupiers of the stalls pay back some portion of the money, especially for these eel arrangements, and so on. The price is 6d. per 1,000 gallons. The proportion of fish that is brought by rail is of course very large, but there is no actual accommodation nearer than the great termini of the principal railway companies. The proportion of fish brought by rail to the water-borne fish is as eight to six.

521. (*Chairman.*) Is it brought from other ports?—It is just a question, when a man catches his fish on the Dogger Bank, whether it will be best to send it by rail or by water.

522. (*Mr. Elton.*) The Grimsby fish comes by rail, does it not?—Of course, all the fish that comes from Grimsby comes by rail.

523. Supposing that you telegraphed to Grimsby for so many cod fish to day, they would come by rail?—Yes, but on the other hand, the Grimsby boats would put a good many of the fish that they catch on the Dogger Bank into the carriers, and they would come round by water.

524. But the west end trade is all done by rail is it not; so many cod fish wanted for dinner parties, so many telegraphed for to Grimsby?—No, it is hardly that. I will take these figures first, and that will give you some idea of the quantity. The water-borne fish for the first ten months of this year, including October, amounted to 47,227 tons. The value put upon that was 815,000*l.* The average price of that fish, taking the whole lot, comes to under 2*d.* per lb., but the price of prime fish, which includes soles, turbot, and brill, would be 7*d.* per lb. Salmon is exceptional, and the price of that is a little over 1*s.* per lb. The price of haddocks is under 1*d.* per pound, and the price of other fish is about 1½*d.* per lb. Cod, as a rule, come among the cheaper kinds of fish.

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The quantity of rail-borne fish for the same 10 months amounted to 131,250 tons; that is a little above the average. No value is given to the rail-borne fish, but you may take it that they are the same sort of fish, and that they would work out at nearly the same sort of prices. The toll collected from them was 3,080*l.*, averaging just a fraction over $\frac{1}{2}$ *d.* per cwt. When a fisherman catches his fish at sea, he either sends it ashore in a carrier, or he sends it straight to market in a carrier. If the weather is fine and other circumstances are favourable, he transfers it from the deck of his fishing smack into a carrier. Latterly a trade in steam carriers has sprung up very much, but they do not seem to have been very successful. One steam carrying company does very well, but it does carrying and nothing else. The other carriers are owned by the same people that do the fishing, and they do not seem to make it pay. It would look as though the fishing was not profitable, but the carrying was. If the fish is not put into a carrier to come all the way round by sea, then it is put into a carrier to go to Grimsby, or whatever the port may be, and it is transferred at once to the railway and sent up to London. Of course the west of England fish and the Irish fish all comes by rail, and at certain seasons of the year the quantity of that is very heavy.

525. (*Mr. Little.*) Do you know whether the Dutch fish comes direct by water, or whether it is put on the rail at Harwich?—A great deal of it certainly comes direct by water. There is a very large trade in eels, and they bring them up alive in well boats. Then with regard to the herring fishery you would get the particulars more accurately from the inspector. When the fish comes to Billingsgate market it is consigned to a salesman. It comes up in what are called trunks, large heavy wooden boxes, and it is consigned to a salesman for sale. The salesman does not turn all the fish out, so that the man who purchases can see every fish that is in the trunk. Time is too short, and the trade too large to allow of that. They merely open a box; they know where it comes from—whether it comes from Scotland, Torquay, Grimsby, or anywhere else; they know the character of the fish, and they buy it as best they can. Among the purchasers are a class of people called “Bommarees.” The origin of the name is not known. The Bommaree buys the fish in the trunk, so many trunks of fish; he turns it out, and then, having turned it out, the tradesmen in London, hotel keepers, and so on, come and buy of the Bommaree, and, of course, they can inspect all the fish. After that trade is over and those people have satisfied their requirements and have gone away, the hawkers, what we commonly call costermongers, come in very large numbers, and if there is a glut of fish in the market they all buy fish and go away with their barrows and distribute the fish at a marvellous rate all over London; long before most people are down to breakfast the costermongers have got their fish right away in those barrows. In that way fish is brought at an extremely low rate to the poor man's door. Not, of course, every day in the week, but probably for three days out of the seven fish can be bought by the poor population off the barrow, excellent fish, as good fish as anybody could possibly have, at one penny per lb. The quantity sold off the barrow at a penny per lb. is very large. One very great advantage to the costermonger is in the situation of Billingsgate market; that is to say, if from bad weather, for instance, or from any cause, the men are unable to fish, and fish are scarce in the market and are, therefore dear, the costermonger is in the centre of the fruit trade, and he goes at once to some of those warehouses and places all round close adjoining Billingsgate, and he either buys a quantity of figs, or oranges, or apples, or nuts, or he goes across London Bridge and gets to the Borough market and buys a quantity of green fruit; but he buys something else, and away he goes to supply his customers in the other parts of London. The trade that is done by these costermongers, and the low price at which they

are able to sell with a respectable profit is something quite remarkable, and, I think, quite unique, because I do not know that it exists in any other town in the world except London. The position of Billingsgate is from that point of view a very advantageous one. If you look at it on the general map you will see that it is very central.

526. And the costermongers can sell it generally or frequently at as low a price as a penny per lb. after it has been through five different hands, the fisherman, the carrier, the salesman, the bommaree, and the costermonger?—Yes. On that arises a question which no doubt this Commission will take into consideration, the great question which all market people are discussing so much, viz., the policy of having refrigerators. Many people say, “Here is a quantity of fish caught on the coast and sent up to London, and because there are no refrigerators it is obliged to be sold at any sacrifice.” It seems very hard for the fishermen. On the other hand, if there was a possibility of this fish being kept over till the next day the poor people would not get the chance of buying it. And what applies to fish applies in very much the same way to the question of meat. It is a very difficult problem to solve. Hitherto, the Corporation have considered that it is in the interest of the public that refrigerators should not be put up, and so far they have not put them up; but they are far from being pig-headed or obstinate about it. There is no doubt that there would be a considerable profit, and that the refrigerators would pay their way. Whatever would be the best for the public the Corporation would be quite willing to do.

527. (*Chairman.*) You consider that you have a right to create an artificial cheapness by practically compelling the dealer to sell on the same day instead of keeping his stock over?—That is the question, and it is a very difficult question to deal with.

528. (*Mr. Little.*) That occasionally involves, of course, the destruction of a certain amount of fish?—No, I do not think that the want of refrigerators does cause the destruction of fish though it causes great cheapness. I do not think, as a matter of fact, that any fish is destroyed that has once come good into Billingsgate. I do not think any of it that is kept over is destroyed. The same question arises with meat. Under the Central Meat Markets there are some freezing chambers so that frozen carcasses may go on being kept frozen; and there is considerable pressure upon the Corporation to construct more of those chambers. But it is one of those matters which the Corporation would rather wish to urge this Commission to take into their serious consideration, so that whatever policy the Corporation may adopt hereafter, they may have something like proper and consistent grounds for adopting it. It is no doubt a most important question to the consumers in London. It is generally argued that with the refrigerators there would be less rise and fall of price; and that seems reasonable.

529. (*Chairman.*) Practically, by the absence of refrigerators you prevent the dealer from keeping his stock over until the next day?—Yes.

530. Therefore you compel him to dispose of it on lower terms than he would do if he were allowed to provide or had provided for him a refrigerating apparatus?—Yes.

531. (*Sir Thomas Martineau.*) And at the risk of a comparatively short supply the next day?—Yes. It is a very difficult problem there is no doubt. With regard to the returns of prices the clerk of the market makes returns monthly to the Board of Trade and to the Markets Committee of all the weights that come into Billingsgate Market; but he supplies also to the Board of Trade, upon a request of theirs, the value, as nearly as he can ascertain it, of the water-borne fish; but he does not supply them with the values of the land-borne fish. What their particular object is he does not know. Here again the different newspapers have, of course, their own

different people, and they take great care to get the returns of prices as nearly as possible. The staff consists of a clerk and collector, four clerks, four labourers, two engineers, one stoker, one fish boiler, two lavatory attendants, a constable, and six police. I have here the forms of lettings which are weekly. The clerk and collector sends the returns monthly to the Board of Trade, but they are made out on weekly sheets. I have here the form of the return to the Board of Trade (*producing it*). I may mention that the steam carrier companies seem generally to sell by auction; so that there is always fish to be bought by auction, which, of course, controls the price.

532. (*Mr. Elton.*) Is there not a system of tanks at Grimsby in connexion with the Billingsgate Market in which they keep a large quantity of fish alive?—I believe one of the fishing companies did do so, but I am not at all sure that it goes on. It is in no way connected with the Corporation. I think that one of the steam carrying companies tried something of the sort some three or four years ago.

533. There were tanks at Grimsby belonging to people who had stalls at Billingsgate, so that they made the tanks a kind of annexe to their stalls, and could telegraph for more fish from Grimsby if they wanted more?—Yes, but I rather think it did not answer.

534. Then there was litigation lately, was there not, about the Billingsgate Market limits, as to whether it was an ancient market extending into the street or not?—Yes. Those railway vans come in with very large quantities of fish every morning, and they block up all the streets near to Billingsgate. The case was tried first in the police court, and then a case was granted. By arrangement a man was summoned for obstructing the highway, and he pleaded that he was not obstructing the highway, but that he was on his lawful errands in the market of Billingsgate. Then the question to be tried was, whether Billingsgate Market did extend in fact so far out into Thames Street, and in every other direction, or not; and it was held that it did not. But I am bound to say that I myself have never been able to distinguish that case from the Covent Garden case, James' case, I think, in which the Court of Queen's Bench seemed to hold directly the contrary. However, it was held in the case that Billingsgate market did not extend beyond the actual area of the market itself. But, as a matter of fact, a very large portion of these thousands of tons of fish are bought and sold and the toll paid for them outside of the market altogether.

535. It rather seemed to bear upon what you told us about the whole City being a market, because the decision apparently was that there was one part of the City which was appropriated to an immemorial fish market, strictly limited by the kerb of the pavement of the street; that was so, was it not?—It was so. I do not know whether any further action is to be taken on that case, but it was rather an unexpected decision.

536. (*Sir Thomas Martineau.*) Is there anything like a market at any one of the railway termini in London?—Yes, there is a very large potato market at the Great Northern terminus.

537. I mean a fish market?—The Great Eastern Railway Company started a fish market in the lower portion of their old Bishopsgate Station which was abandoned when they made the Liverpool Street Station; and they went to considerable expense and laid out quite a large fish market underneath, for which they came to the Corporation for their consent, which was readily enough given. That went on for some considerable time until they wanted to extend it to a vegetable market, and then they got into litigation with Sir Julian Goldsmid and with the Spitalfields people; and that has really knocked the whole thing up. But it was practically a retail market, and it has been a very useful market, and would be quite worth their going on with at another time.

538. Does such a market exist, say, at Euston, or at any other station?—No.

539. (*Chairman.*) Will you now give us the particulars with regard to the Deptford Cattle Market?—The Deptford Market was established in 1869 under the Contagious Diseases (Animals) Act, and the Corporation, under circumstances which the Chamberlain will detail to you, acquired the old Admiralty Dockyard. We allow cattle to remain there ten days, but cattle come in simply to be slaughtered. The market days are Mondays and Thursdays, the same days as in the case of the market at Islington, although the market is open every day. That was settled by the Trade themselves, who find it convenient to do their business at Islington early in the morning, and to come from Islington to Deptford later on in the same day.

540. (*Mr. Little.*) They do not go from Deptford to Islington?—They go to Islington early in the morning, and they come down to Deptford later in the day. The only Act relating to the Deptford Market is the 1869 Act. There are no tolls proper, but there is a schedule of charges that we make for lairage and wharfage including everything. The lettings of slaughter-houses, hay stores (because many of these people like to feed their own cattle), and what they call gut stores for the offal are monthly. For the supervision and inspection there are two privy council inspectors, one senior and one junior, as I understand, who examine all the animals on landing. If they are sound they go on into the market, and if they are unsound they go to what is called the Digester, and there they are reduced down by great heat and calcined, so that you might hold everything that a bullock comes to in your two hands. That is done in order to avoid any infection. It is done in a sort of hot chamber; they are really baked, rather than burnt, to nothing. They are put in at the top and there is nothing more than a handful of ashes left. The water supply is from the Kent Waterworks, and they charge 6½d. per thousand gallons. The quantity of water consumed there for the slaughter-houses and washing down, and also for the cattle to drink, is enormous, because the cattle stay there, on an average, about five days. With regard to the mode of supply and distribution, the cattle all come there by vessel; but where they come across the Atlantic the vessels are too large to come alongside, and the Corporation keep a steamer called the "Raccoon," which is specially fitted for taking the beasts off the larger vessels and bringing them alongside. The landing, and so on, is almost entirely done by the Corporation men themselves; our own men superintend the landing. The business is done both by commission agents and by carcass butchers; in fact, it is done in all sorts of ways; there is no particular predominating class of trade there. The carcass butchers and commission dealers do the principal part of the trade, but at the same time very small quantities are also sold to individuals. The staff is four clerks, a lairs foreman, four lairmen, one tally man, four men on the pier, three enginemen, one stoker, eight constables, three watchmen, 47 labourers, 20 drovers, and 12 mechanics. That is a very large staff; but there again the details of this market, which are very interesting, the Commission would get better from the Superintendent. I have a great mass of figures here. Of course, the market varies very much. At times there is a very large importation, and at other times it is very slack. There has been a complaint by the Foreign Cattle Salesmen's Association that the charges are too high; and that is the only complaint which is at all a serious complaint with regard to any of the Corporation markets. What they complain of is this: The wharfage, lairage, market dues, and charges, are as follows:—For beasts per head, 5s.; for calves per head, 2s.; for pigs per head, 1s.; for sheep per head, 9d. They say that the charge per beast is too dear. I have compared it with the charges at all the other authorized landing places for foreign cattle which are very few, Liverpool, Bristol, Glasgow, Southampton, Hull, Sunderland, Grimsby, and West Hartlepool; and with the possible exception of Grimsby it seems to me that they are as nearly as possible the same prices all

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round. The reason why they may seem at the first blush high is that we charge 5s. per head and keep the cattle for ten days; that is to say, for that charge a man is entitled to have his cattle there for ten days.

541. (*Mr. Little.*) You do not feed them?—No, we do not feed them. On the other hand, at other places a man is only entitled to have them there 24 hours, and after that he is charged all sorts of rates

per 24 hours. On an average the cattle are kept at Deptford five days, and, in fact, on the whole they are kept there at lower prices than at other places; but it would be quite impossible for the Commission to get any correct idea of that market without seeing it.

542. (*Chairman.*) I think we have nothing further to ask you, and we are very much obliged to you for your most important and valuable evidence.

The witness withdrew.

Adjourned.

At No. 32, Abingdon Street, Westminster.

FOURTH DAY.

Tuesday, 6th December 1887.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

SIR THOMAS MARTINEAU.

MR. CHARLES I. ELTON, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.

MR. WILLIAM C. LITTLE.

MR. T. BARCLAY COCKERTON, *Secretary.*

Mr. Benjamin
Scott.

Mr. BENJAMIN SCOTT examined.

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543. (*Chairman.*) I need hardly ask you whether you are the City Chamberlain?—I am.

544. Will you state what are the special duties of your office?—I am the City banker and treasurer and general finance officer.

545. You have charge of all the City finances?—Yes.

546. For how long have you been acquainted with the finances of the markets of the City?—I entered the Chamberlain's Office in 1827, so that I have had experience more or less of the markets of the City for 60 years.

547. It is hardly necessary to ask you whether you have witnessed great changes in those markets in that time?—Yes, I have witnessed very great changes; indeed, it would be hardly possible for anyone who has not had my opportunities of observing what has happened, to understand at all the change, which I might almost term a revolution, which has taken place with regard to the markets of the City since I first became acquainted with them.

548. Some markets, we understand, have been discontinued; within your experience can you tell us what they are, and under what circumstances the discontinuance took place?—The Fleet Market, which occupied the position where Farringdon Street is now, and which was then a valley with an open sewer, the Fleet River, passing through it, was discontinued by an Act of Parliament passed in 1824, but was not completely removed until 1828, when the Fleet Market was entirely removed and Farringdon Market was substituted for it on a new site. Honey Lane Market, which was closely adjoining to Cheapside, was discontinued about the year 1835; that was a comparatively small market. The revenues of the Fleet Market were considerable, I think over 3,000*l.* a year; but the Honey Lane Market was a small affair; the revenues about the time it was discontinued hardly reached 100*l.* a year. Upon the site of Honey Lane the first City of London School was erected by Act of Parliament. Newgate Market was in existence in 1827, but was to be discontinued under an Act passed in 1861, though the market was not entirely closed till 1868, when the new Central Markets on the site of Smithfield were opened. Smithfield was the great cattle market of London, but by an Act passed in 1851 that market was discontinued and the market now called the Metropolitan Cattle Market was established at Islington, the cattle market being entirely removed out of the centre of London. Those are the four markets that have been discontinued in my recollection; the Fleet Market, Honey Lane, Newgate, and Smithfield.

549. Can you tell us what markets have been enlarged or extended or substituted for others within

the term of years that you have mentioned?—To commence with our oldest market, Billingsgate, that has been greatly enlarged upon two occasions: first under the Act of 1846 and then by an Act in 1879. Leadenhall Market has been greatly enlarged under an Act of 1879. Farringdon Market was substituted for Fleet Market in 1828. On the site on which Smithfield stood there has been first established the Central meat market, subsequently the Central poultry and provision market, and then thirdly a vegetable and fruit market, which was afterwards changed by Act of Parliament into a fish market, as an experiment, and subsequently abandoned as a fish market as being entirely unsuccessful; and it is now to be used as a general market to include fish, fruit, vegetables, or any marketable commodities. Then lastly, there has been a cattle market established at Islington, which superseded the Smithfield Market.

550. Some markets, we understand, have been created entirely *de novo* during your term of office?—The only market of that kind I think we must consider to be the Foreign Cattle Market at Deptford, on the River Thames. There was no such market until the Act of 1869 enabled the Corporation to purchase the old Government dockyard of Deptford. There was a little inaccuracy in Mr. Goldney's evidence upon that point which he requested me to correct. He stated that the Government gave the dockyard at Deptford to the Corporation for the purpose of establishing a market. That was not so. The Government sold the market to a person who held it, no doubt, upon speculation, and he sold it to the Corporation. I may mention in passing, that we treat the Foreign Cattle Market at Deptford differently from our other markets in this respect, that we do not regard it as a City market. The Corporation is named in the Act of Parliament as the local authority, but we do not consider that the property vests in the Corporation in the same sense that all the ancient markets do, and, in fact, all the markets that I have mentioned with the exception of the Foreign Cattle Market.

551. But you have a right of control over it?—We have absolute control over it under the Act of Parliament. We are the local authority mentioned in the Act of Parliament, with absolute control over it, but we do not consider that we have property in it as we have in the ancient markets, and in those markets that have been substituted for ancient markets.

552. Is there any market now in course of formation?—There is an addition to the fish and general market which is being formed solely for the sale of fish in connexion with the Central Markets at Smithfield. The Billingsgate Market is for the sale of fish brought by river and railway; but it is

thought that a certain quantity of fish will come by railway to the central parts of London, and not to the river side, and for that purpose we are now constructing a fish market. The Corporation are authorised to raise 50,000*l.*; they have raised during the last year 10,000*l.*, and that market will shortly be completed.

553. We understand that there are some returns which you wish to hand in to the Commissioners connected with the questions addressed to the Corporation?—I am directed by the Markets Committee to submit answers to the questions Nos. 8, 9, 10, and 11 which you addressed to the Corporation. Those four questions relate more particularly to my department, and I now submit these accounts Nos. 1, 2, 3, and 4 (*producing them*). The first account relates to questions 8 and 9 respectively, and I may say that it is generally a statement of the capital accounts of the City markets and those which are claimed by the City. Then there is a similar capital account, No. 2, relating to the Foreign Cattle Market at Deptford, which we kept separate for the reason which I have assigned. Then there is an account, No. 3, in answer to questions 10 and 11, giving the average annual gross receipt and expenditure during three years ended the 31st December 1886. That account gives the receipts and expenditure of the Central Meat, Poultry, and Provision Market, of the Central Fish and General Market, of Farringdon Market, of Smithfield Hay Market, of the Metropolitan Cattle Market, Islington, of Leadenhall Market, and of Billingsgate Market. Account No. 4 gives the gross receipts and expenditure during the same three years in respect of the Foreign Cattle Market. I put those accounts in and leave them with the Commission. I ought to state in making these returns that the Markets Committee have authorised me to give the Commission every possible information in my department. I make that statement because the Corporation has not hitherto in the case of Government inquiries recognised the right of the Crown to make these inquiries, except in the Crown's ordinary courts of inquiry,—the constituted courts of the land. It is rather a matter of law than anything else; there is not a desire to withhold anything, but on every occasion of an inquiry of this nature there has been a statement of the kind made, and the officers of the Corporation have had to ask leave to divulge what they consider to be the affairs of their employers.

554. We understand that there is no desire to keep back anything?—No; these accounts have all been submitted to the Markets Committee, which in these matters represent the Corporation, and they have desired me to submit these accounts, and to answer any questions that may be put to me.

555. I do not know whether it is included in the returns that you have put in, but I would ask you what is the total debt of the Corporation in relation to their markets?—The total debt on the 31st of December last was 2,529,600*l.* The Foreign Cattle Market has a separate debt of 196,500*l.*

556. Is that a perpetual debt or is there any provision for redeeming it within a certain time?—There is a provision in every bond, terminating the period of the bond. We have no power to issue anything in the nature of a perpetual stock nor have we facilities as a Corporation for issuing stock such as are sometimes granted by Parliament under the Local Loans Act, and under special powers. This money has all been raised by bonds terminable at different periods, which periods will be stated in Return No. 1, which I have laid before you. The Corporation do not contemplate that when these bonds expire they will always or generally be able to discharge them. They generally find it convenient to raise the money at a fair rate of interest, to make a contract for 10 years; and then if they have not the intention or the means of paying them off at that time, they renew them easily.

557. (*Mr. Little.*) But are they as a matter of fact paying off the debt?—They have not of late years done much in that way as you will find upon investi-

gation. During the last 30 years they have been creating markets to meet the necessities of London, and rather adding to their debt than diminishing it.

558. (*Sir Thomas Martineau.*) Is there no scheme for the discharge of the debt at different periods by instalments?—No, there is not any scheme in existence. I should mention that the Corporation estates are charged by Act of Parliament for many other purposes than those of markets; for instance, for very large street improvements, such as the Holborn Valley and Viaduct improvement, for obtaining open spaces, such as Epping Forest and other places, and for rebuilding the Royal Exchange and matters of that kind. There is therefore a large debt quite outside of the market debt; but the law has bound the whole together; the Corporation estates are liable for the markets, and the market tolls are liable for other debts. It forms one estate. Therefore they are obliged from year to year to look to their means, and to pay off bonds as they see themselves enabled to pay off. There is a very important question coming up which would affect this question indirectly, though of course it would not affect the inquiry which is before you, and that is what should be done with the debt of the Holborn Valley and Viaduct. The Corporation will have outstanding some two years hence 750,000*l.* on that debt, contracted for the benefit of the public. They have to take that into account as well as the debts of the market. If the coal dues should be renewed that debt will be provided for, and then they will be able to make a considerable reduction in the market debt.

559. (*Chairman.*) But as a matter of finance you cannot separate the market debt from their other debts?—The Corporation purse is one, and we may not give preferences, but we must do the best we can with our creditors from year to year.

560. What has been the average income of the markets for the last three complete years?—The average income of the City markets, as I may call them, for that period has been 153,114*l.* In the case of the Foreign Cattle Market for the same period the income has been 58,801*l.*

561. (*Mr. Charrington.*) Is that net income or receipts?—This is the gross income.

562. (*Chairman.*) What has been the average expenditure for the like period, including interest and discharge of loans?—On the City markets 152,762*l.*, and on the Foreign Cattle Market 57,046*l.*; so that you will see that during the last three years the average income of the City markets has been about the same as the expenditure, there being only a surplus of 352*l.* on the three years. In the Foreign Cattle Market the surplus has been larger, amounting to 20,755*l.*, and the debt of the Foreign Cattle Market is being rapidly reduced.

563. (*Mr. Little.*) But I understood you to say that the income of the Foreign Cattle Market had been 58,801*l.*, and the expenditure 57,046*l.*?—There has been a sum applied in discharge of debt. The figures which I have given you would show a difference of 1,755*l.* 1*s.* 11*d.*, but there has been applied in discharge of the debt 19,000*l.* Adding those amounts together, it shows a surplus of 20,755*l.*

564. (*Sir Thomas Martineau.*) Is that included in the 57,046*l.*?—Yes, that is the average expenditure of the market, inclusive of paying off debt. Adding the average amount of debt paid off would bring the surplus up to 20,755*l.*, which is a surplus which may be fully depended upon in future years.

565. You say that the average income is 58,801*l.*, and that the average expenditure has been 57,046*l.*; that would leave a surplus of 1,755*l.* But are we to understand that you have in addition to that paid off debt to the amount of 6,000*l.* or 7,000*l.*?—19,000*l.*

566. So that that really comes out of the 57,046*l.*?—Yes.

567. (*Mr. Little.*) Comparing the expenditure and receipts of the City markets, does the 152,762*l.* include any payment in respect of debt?—No, it does not; that is the exception, and that has been treated as an exception.

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568. Then there is only a surplus income of 352*l.*, without paying off any debt?—There is a very small surplus indeed, and likely to be for some few years to come.

569. (*Mr. Charrington.*) Does the expenditure on these markets include the interest on the amount borrowed for them?—It does in every case.

570. It does not include management alone?—No: it includes management and interest. The interest is a very large item.

571. (*Chairman.*) The surplus is so small that it is perhaps hardly necessary to ask you how it is applicable, but in view of the future you may wish to state it?—When our experiments have been tried in making a market for fish, which has been a very troublesome and expensive job, if the market which is now being constructed should be successful, we may look for a much better surplus than we have had. It will be at the disposal of the Corporation for market purposes, and for municipal purposes, and for public purposes, in extinction of the debt which they have contracted under Act of Parliament for improvements and otherwise.

572. In short, it will be at their disposal?—It will be at their disposal, and they will be able, as I have already explained, to deal with the discharge of debt upon some equitable principle.

573. Is there any fund or property besides surpluses applicable to the discharge of market debt?—There is one special fund which I ought to mention. By the Act of 1886, which enabled us to construct the new fish market, it was provided by the express desire of the Corporation that the site of Farringdon Market, which was then to be dismarketed, should be set aside for meeting the debts on the Central Markets. The debts on the Central Markets are the largest debts we have, including the debt of the Meat Market, the Poultry and Provision Market, the Fish and General Market, and the new Fish Market. The site of this discontinued market at Farringdon, no doubt a valuable site, is to be at the disposal of the Corporation for discharging the Central Market debts. The words of the Act are that “the Corporation shall within six years after the passing of this Act dispose of the site of Farringdon Market, and shall, after satisfying any liabilities thereon, apply the proceeds thereof towards the extinguishment of the debt on the London Central Markets.” I have, by the desire of the Corporation, omitted from the return the value of that market. There is no sum stated in the capital account as to the value, because the Corporation within a year or two will have this land on sale, and it has never been their practice to put a value upon anything upon which they will have to receive tenders. It was thought quite improper to disclose the opinion of the Corporation surveyors as to the value of that piece of ground, but it will be of very considerable value.

574. They leave the value to be fixed by the public?—There is an area of 66,000 superficial feet in the very centre of the city, and therefore it will be a very considerable amount applicable to the reduction of the Central Market debt.

575. (*Mr. Charrington.*) Is there any separate account kept of each individual market, showing the profit or the loss, as the case may be, of any particular market?—There is a separate account kept and published by the Corporation every year of the receipt and expenditure of each market, and that is printed in books of account. I have here the books of the last three years. I cannot state that there is a profit and loss account made out, because if that were done we should have of course to value sites and matters of that sort.

576. But is there anything to show whether any particular market is making a profit or a loss in carrying it on from year to year?—That is shown, and every month the Markets Committee have returns from my office to show how everything is proceeding.

577. Do you find that some markets always show a loss, and that others always show a profit?—That is so. The Metropolitan Cattle Market at Islington has only produced a profit in one year since it was opened

by the Prince Consort. I forget now what year it was. It has shown an average loss from that period down to this of 6,000*l.* to 8,000*l.* a year. That is one of the reasons why it would not be fair when a market is making a profit that there should be an advantage given to the holders of bonds on that market, whilst there is another market upon which there is a loss. We shall have to meet all these questions equitably with all our bondholders from year to year.

578. Do you know any particular reason why that market should always show a loss; is it the great expense of carrying it on or is it the large amount of interest?—It covers many acres. There was a very large sum expended upon it, perhaps an unreasonably large sum. There were also two large taverns built in the hope that those persons who came from the country in large numbers to sell their cattle would make use of those taverns. It was soon found that they preferred their old quarters, wherever they were in London, and that they did not make use of the taverns. There was loss incurred in that way. Then we obtained power to turn the taverns into lodging houses for the poor, and they are used for that purpose now, and are filled, but not in a profitable sense. Then again Parliament has repeatedly declined to increase the tolls on cattle there. It is quite manifest that the toll is not sufficiently large, and there have been several applications to the Board of Trade, and there have been applications to Parliament to put a heavier toll upon the cattle. But in founding the Foreign Cattle Market at Deptford a clause was introduced into one of the Acts for that purpose, which gives the Corporation this advantage ultimately: that when the Deptford debt is discharged the profits of the Deptford Market shall go to discharge the debt of the cattle market at Islington. That was done by Parliament, rather than increase the tolls upon cattle. That is the only market upon which there is a standing loss, there always has been a loss upon the cattle market at Islington.

579. Is there any difference between the toll payable on cattle at Deptford and that payable at the Central Market?—The tolls are very different. It is a toll at the cattle market at Islington; but there are landing charges, and slaughtering charges, and lirage charges at the Deptford Market. I could not compare the one with the other. No cattle are allowed to come out of the Foreign Cattle Market alive, and therefore there are slaughtering charges and charges for the sale of offal and things of that kind; and they are now putting up very extensive cold stores for keeping meat which they cannot dispose of at the moment. The trade are pressing for it, and they are spending considerable sums of money for that purpose.

580. (*Chairman.*) Are there any other statements in connexion with the subject generally which you wish to lay before the Commission?—There are a few matters which have not yet been alluded to, which should be mentioned in order to make the inquiry complete. In the year 1871, the Corporation, at the request of the Baroness Burdett-Coutts, tried an experiment in Columbia Market, which is in the region of Shoreditch, in the east of London. They took that market off her hands, and they conducted it from 1872 to 1875 or thereabouts. They incurred a considerable loss by it; in fact, every year the payments very greatly exceeded the receipts, and then they re-conveyed it, as it had been arranged, to the Baroness, as it was unprofitable, and I believe that her Ladyship is still carrying it on. Some arrangements have been made to introduce a railway into the market, which may assist it; but the whole experience of the Corporation has been that it is one of the most difficult things in the world to remove a market, and that is one of the illustrations of it. There was once an attempt to found a fish market on the Thames to compete with Billingsgate. Hungerford Market was the name of the market, and it was on the site of the Charing Cross railway bridge and station. That was carried on for a few years. It was not a City market in any sense. It was an attempt to establish a whole-

sale and retail fish market at the west end of London, but that resulted in a disastrous failure. There is now an attempt to establish a market lower down the river than Billingsgate. Parliament granted powers to make a market at Shadwell. The Corporation opposed on the grounds of their rights of market, and that it would be prejudicial to Billingsgate; but as they were not willing to undertake the construction of Shadwell Market, Parliament decided that a market ought to be created there as an experiment. There was a market established near the "Elephant and Castle," in the south of London, but that, I believe, has been recently discontinued. There has been also an Act of Parliament recently passed to establish a market at Paddington, under the Paddington Vestry, but what is being done with that I do not know. As a matter of interest I may mention that the site of Smithfield was annually used as a fair up to recent times. There was a very celebrated fair which you have all heard of, no doubt, and which was called Bartholomew Fair. It was established under the Corporation of London by a charter of King Henry II., granted somewhere between the years 1154 and 1189. As London increased in population, Bartholomew Fair became a very great nuisance, and the Court of Common Council continually from year to year raised the letting of the ground, until they strangled the fair, and it ceased to be frequented. The last time it was opened by the Lord Mayor was on the 5th of September 1853. No one having ever applied for stands since then it was got rid of. I put in some figures as a matter of interest to show how markets have changed during my experience, the receipts, expenditure, surplus, and deficiency of the markets in 1827 when I entered the Chamberlain's office. The profits on the markets at that time were 10,985*l.*, but the markets were exceedingly small and inconvenient, and most of them connected with very narrow streets, all of which has been changed now. That included the Old Fleet Market, the Old Newgate Market, the Old Honey Lane Market, Smithfield, and Leadenhall Market. Billingsgate is stated separately because it was not entirely in the hands of the Corporation at the time. They had alienated the market to certain parties, and they were then negotiating or arranging to obtain the market back again from those parties by paying them annual sums. Shortly afterwards, Billingsgate Market passed once more into the hands of the Corporation. The parties who had purchased it and their assignees were compensated; and then commenced the improvement of Billingsgate Market, which has been going on down to this year. In 1827 the Corporation had a profit on their markets of nearly 11,000*l.* a year. I then go on to 1847, 20 years later, when the surplus was 11,954*l.*, that is close upon 12,000*l.* Then came the transition period when the Corporation began to improve, and to substitute other markets for those which were inconvenient; in the year 1854 the profits of the markets were 12,893*l.* As I have explained, the profits of the City markets proper are now reduced to some 352*l.* at the end of 1886, so that the Corporation in constructing these new markets have destroyed the profits which their general municipal funds were deriving from this source; but they have done it from a sense that the public required these markets; and the way in which these markets have been frequented, and the enormous trade done in them, show that the Corporation were not too soon in constructing them, having regard to the demands of the public. I may say now, in addition to what Mr. Goldney has stated, that the City's markets, and particularly their meat and fish markets, supply not only London but the country round, to a distance of perhaps 100 miles; down to the south coast and 100 miles to the north, and sometimes further: and even, as Mr. Goldney has stated, to the south of France, for Paris, Nice, Mentone, and Cannes, are supplied with fish from Billingsgate. And the markets are drawing their supplies from very much greater distances than those to which they are distributing them; for as you are aware, we are now getting meat from South America, Australia, and

New Zealand, from Spain, and from different parts of the continent, and distributing it from our central meat and cattle markets. The population of London itself, of the metropolitan district, has increased since 1827 from 1,500,000, or thereabouts, to 4,000,000, and taking in outside London, to 5,000,000 inhabitants; so that the provision which the Corporation has been making for markets has been not only very necessary but absolutely indispensable. What the price of food would have been if it had not been for the means of distribution which the Corporation has provided, it is impossible to say.

581. (*Mr. Charrington.*) Is there any other medium than that of the London coal duties through which outside London contributes to any part of this expenditure that the Corporation has incurred for markets?—There is a small duty upon corn brought into the port of London.

582. Is that what is called the metage duty?—No; the metage duty has been abolished. The metage duty was onerous and irksome. The practice of selling by measure began to be discontinued, and the trade began to sell by weight; and so in 1871 the Corporation obtained an Act to abolish the compulsory metage of corn, and it is only carried on now if parties desire to have their corn measured. There is now a very small duty, amounting to $\frac{3}{16}$ ths of a penny per cwt.

583. (*Mr. Little.*) On corn of all descriptions?—Not on grain imported by brewers and distillers and others who bring it in for use, but on all corn which is brought in for sale in the port of London. With that change the Corporation obtained power to preserve and protect open spaces. That money has been expended in freeing Epping Forest, West Ham Park, Burnham Beeches, certain commons in Surrey, and maintaining the open spaces at Highgate, and other places. They have spent about 300,000*l.* on those objects.

584. How much does that bring in in a year?—About 10,000*l.* to 11,000*l.* a year, I think, net.

585. (*Mr. Charrington.*) I think I have seen it stated that the City's share of the coal duties comes to about 50,000*l.* a year?—More than that; it is over 100,000*l.* a year. That duty is mortgaged for the Holborn Valley Improvement, which cost some 2,500,000*l.* gross. I will put in, if you think it of interest, the receipts and payments of the markets, and the surplus for each of the years 1827, 1847, and 1854, which I call the transition period, and for the three years which you have asked for. (*Papers put in.*)

586. (*Mr. Little.*) You have not made out the details for 1867, have you, which is the intermediate period between 1847 and 1887?—No; but I can supply it. These papers are put in to show that there was a considerable profit up to 1854, but that after that there has been little or no profit, and in fact there has been a loss on the whole.

587. (*Chairman.*) The City has remodelled and improved the markets, but it has done so at some loss to itself?—At some loss at the present to itself, and subject to the contraction of a very large debt.

588. (*Sir Thomas Martineau.*) I see that to the question, "Are any records kept of the prices of commodities sold in the markets?" the answer from the City is, "No official records are kept of the prices"; and the word "official" is underlined; are you in a position to give any general information on the subject, or is any record kept that is not strictly official of the prices?—That would not come into my department. The money comes to me in gross, but the way in which it is made up in the markets does not come before me. I have no doubt whatever that the clerks of the markets or the City Comptroller, who controls the books of the markets before they reach me, would be able to give information upon that point.

589. That would be upon the total value of the goods sold in the markets?—I should think that the clerk of the market must know about what is the value of any commodity, such as meat for instance. The toll in the Meat Market is a farthing, I think, on 21 lbs. of meat, poultry or provisions. He would know from year to year what had been the average

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price of meat, &c., I should think, and then he could give you that information.

590. He could give us the full amount of what is sold?—He could. He keeps an account of the quantities sold, and if he could fix the average price of the quantities sold you could get at that information; and so with the Fish Market.

591. Would that apply to vegetables as well?—There would be a little more difficulty, of course, in the case of vegetables, because they are so various in value; but still the clerk of the market could give you a good deal of information upon that point.

592. (*Mr. Little.*) Does the 12th question as to the scale of tolls come in your department at all?—No.

593. Do the accounts which you have put in distinguish the amounts received for tolls and stallages and rents?—Yes, they do in most cases, I think. Rents would be separate of course.

594. The Deptford Cattle Market having been established by Act of Parliament, were the maximum tolls laid down by the Act?—They were to be fixed by byelaw.

595. Was that the case with the Islington Market?—The tolls are settled by the Act 32 & 33 Vict. c. 70.

The witness withdrew.

MARKETS, 1827.

	Receipts.	Expenditure.	Surplus.	Deficiency.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Newgate Market - - - - -	3,589 19 4½	782 8 6	2,807 10 10½	—
Fleet Market - - - - -	2,989 8 0	753 8 4	2,235 19 8	—
Honey Lane Market - - - - -	311 15 0	246 18 10	64 16 2	—
Smithfield Market - - - - -	5,347 19 7	1,987 12 10	3,360 6 9	—
Leadenhall Market - - - - -	2,481 18 5½	740 0 6	1,741 17 11½	—
Billingsgate Market - - - - -	4,597 8 0½	3,872 4 0	725 3 11½	—
	19,318 8 5½	8,382 13 0	10,935 15 4½	—

MARKETS, 1847.

	Receipts.	Expenditure.	Surplus.	Deficiency.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Newgate Market - - - - -	4,441 14 2	840 16 4	3,600 17 10	—
Farringdon Market - - - - -	1,059 0 6	1,309 5 3	—	250 4 9
Smithfield Cattle and Hay Market - - - - -	8,054 16 2	2,729 11 0	5,325 5 2	—
Leadenhall Market - - - - -	2,877 9 8	1,078 19 7½	1,798 10 0½	—
Billingsgate Market - - - - -	3,938 9 9	2,458 1 4	1,480 8 5	—
	20,371 10 3	8,416 13 6½	12,205 1 5½	—
		Surplus -	250 4 9	—
			11,954 16 8½	—

MARKETS, 1854.

	Receipts.	Expenditure.	Surplus.	Deficiency.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Newgate Market - - - - -	4,268 5 0	1,063 8 4	3,204 16 8	—
Smithfield Cattle and Hay Market - - - - -	8,945 9 10	2,519 0 8	6,426 9 2	—
Farringdon Market - - - - -	1,105 17 11	1,059 9 2	46 8 9	—
Leadenhall Market - - - - -	2,762 17 7	892 6 4	1,870 11 3	—
Billingsgate Market - - - - -	4,282 3 3	2,936 12 9	1,345 10 6	—
	21,364 13 7	8,470 17 3	12,893 16 4	—

MARKETS—3 YEARS' AVERAGE—1884-6.

	Receipts.	Expenditure.	Average Annual	
			Surplus.	Deficiency.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1. London Central Meat, &c. Market - - - - -	82,952 0 11	69,131 3 7	13,820 17 4	—
2. London Central Fish and General Markets - - - - -	6,006 16 0	17,244 6 4	—	11,237 10 4
3. Farringdon Market - - - - -	2,099 2 8	1,302 7 2	796 15 6	—
4. Smithfield Hay Market - - - - -	194 11 5	64 3 4	130 8 1	—
5. Metropolitan Cattle Market - - - - -	32,471 15 5	38,489 19 3	—	5,968 3 10
6. Leadenhall Market - - - - -	7,767 12 3	6,858 3 0	1,409 9 3	—
7. Billingsgate Market - - - - -	27,472 19 0	20,222 8 10	*1,400 10 2	—
	158,964 17 8	152,762 11 6	17,558 0 4	—
		Surplus -	17,205 14 2	17,205 14 2
			352 6 2	—
8. Foreign Cattle Market - - - - -	58,801 7 9	57,046 5 10	1,755 1 11	—
	Plus applied in discharge of debt (average)		19,000 0 0	—
		Surplus -	20,755 1 11	—

* Less 5,850*l.* estimated annual value of site of old market and City property thrown in at the recent extension.

No. 1.

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MARKETS THE PROPERTY OF THE CORPORATION OF THE CITY OF LONDON.

RETURNS to Questions Nos. 8 and 9 for period ended 31st December 1886.

Question 8.—What is the estimated amount of the capital expenditure which has been incurred by the Corporation in respect of the market, inclusive of purchase of market tolls and other rights, distinguishing, if possible what has been paid for each?

Question 9.—Whether moneys have been borrowed in respect of the markets. If so—

- What is the total amount of money which has been so borrowed?
- What amount is now outstanding in respect of the loans?
- What are the dates, periods for repayment, and terms of repayment of each of the several loans now outstanding?
- Whether it is thought probable that any, and what further, loans will shortly be required.

	8.	(9a.)	(9c.)	(9b.)	(9c.)	(9d.)
	Estimated Capital Expenditure.	Amounts Borrowed.	Dates of Original Issue.	Amounts Outstanding.	Periods for Repayment.	Further Loans required.
	£	£	£	£	£	
LONDON CENTRAL MARKETS, viz., the Meat, Poultry, and Provision Markets	1,294,000	1,407,000	420,000 1863-4 200,000 1867 85,000 1868 \$70,000 1869 172,000 1873 110,000 1875 25,000 1877 25,000 1878	307,000 1888 44,500 1887 155,500 1894 85,000 1887 264,300 1888 105,700 1891 172,000 1887 50,000 1888 108,700 1892	1888 1887 1894 1887 1888 1891 1887 1888 1892	3½ %
*Estimated value of so much of the site of Smithfield as is absorbed in the said Markets	90,000					
Total	1,384,000			1,300	1892	3 %
LONDON CENTRAL FISH and GENERAL MARKETS (late Fruit, Vegetable, and Flower Market)	380,000	380,000	115,000 1876 16,000 1878 80,000 1879 79,000 1880 70,000 1881 20,000 1882	39,000 1887 20,000 1892 115,000 1893 70,000 1894 136,000 1896	1887 1892 1893 1894 1896	3½ %
and						
NEW CENTRAL FISH MARKET	10,000	10,000	10,000 1886	10,000	1896	Further sums must be raised; limit 40,000l.
FARRINGTON MARKET	150,000	150,000	Nil.			Raised under the "Fleet Market Removal Act, 1824"—long since paid off.
SMITHFIELD MARKET	Nil.	Nil.		Nil.		
METROPOLITAN CATTLE MARKET at Islington	504,842	478,600	400,000 1852-5 43,000 1855-6 35,600 1873-6	50,000 1892 30,000 1893 81,000 1897 88,900 1898 20,000 1892 53,100 1894 24,000 1895 53,000 1896 43,000 1898 2,600 1887 15,000 1892 11,000 1893 6,000 1896 1,000 1892	1892 1893 1897 1898 1892 1894 1895 1896 1898 1887 1892 1893 1896 1892	3½ % 3½ % 3½ %
						Repayable, when and so far as circumstances shall permit, out of the rents, tolls, &c. of the market, and the ultimate surplus of the Foreign Cattle Market, and contingent on their insufficiency the general estates and revenues of the Corporation.
						Repayable, when and so far as circumstances shall permit, out of the general revenues of the Corporation.

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	8.	(9a.)		(9c.)	(9b.)		(9c.)			(9d.)
	Esti- mated Capital* Expendi- ture.	Amounts Borrowed.		Dates of Ori- ginal Issue.	Amounts Outstanding.		Periods for Repay- ment.	Rates of In- terest.	Terms of Repayment.	Further Loans required.
	£	£	£		£	£				
LEADENWALL MARKET	99,000	99,000	10,000	1880	99,000	10,000	1887	3½%	Repayable, when and so far as circum- stances shall permit, out of the revenues of the market and, contingently, the general estates and revenues of the Corporation.	
*Estimated value of so much of ancient site as is absorbed in the New Mar- ket, &c.	51,400		89,000	1881		40,000	1888			
Total	150,400					49,000	1891			
BILLINGSATE MARKET	302,000	272,000	20,000	1874	268,000	28,800	1888	3½%	Repayable, when and so far as circum- stances shall permit, out of the revenues of the market, and, contingently, the general estates and revenues of the Corporation.	
*Estimated value of old site and additions of corporate property	146,250		50,000	1875		21,300	1891			
			35,000	1875		66,000	1892			
Total	448,250		37,000	1876		7,000	1893			
			80,000	1878		37,000	1895			
			50,000	1873		106,000	1896			

* The values of sites in the above return have been estimated by the Acting City Architect.

Chamber of London, Guildhall.
6th December 1887.

BENJAMIN SCOTT,
Chamberlain.

No. 2.

MARKET OF WHICH THE CORPORATION OF THE CITY OF LONDON IS THE LOCAL
AUTHORITY.

RETURN to Questions Nos. 8 and 9.

	8.	(9a.)		(9c.)	(9b.)		(9c.)			(9d.)
	Esti- mated Capital Expendi- ture.	Amounts Borrowed.		Dates of Ori- ginal Issue.	Amounts Outstanding.		Periods for Repay- ment.	Rates of In- terest.	Terms of Repayment.	Further Loans required.
	£	£	£		£	£				
FOREIGN CATTLE MARKET at Deptford.	351,500	351,500	30,000	1870	126,500			3½%	Repayable out of the annual surplus revenues of the market, and, contin- gently, the general estates and revenues of the Corporation.	Further monies must be raised, probably:— £ In 1887 - 18,000 In 1888 - 12,000 <u>£30,000</u>
			130,000	1871		26,500	1887			
			20,000	1872		25,000	1888			
			25,000	1874		25,000	1889			
			25,000	1879		25,000	1890			
			1,500	1880		25,000	1891			
			25,000	1881		25,000	1892			
			25,000	1883		25,000	1893			
			20,000	1886		20,000	1896			

Chamber of London,
6th December 1887.

BENJAMIN SCOTT,
Chamberlain.

No. 3.

RETURN to Questions Nos. 10 and 11.

Mr. Benjamin
Scott.

6 Dec. 1887.

Question 10.—What has been the average annual expenditure during the three years ended 25th March 1887, or to the latest date to which the accounts are made up, out of revenue, or rates, or other sources in respect of the market—

- a. For principal and interest of loans, or for sinking fund for repayment of loans?
- b. For officers of the markets, and care and supervision of the market?
- c. For repairs?
- d. For removal of refuse and cleansing?
- e. For other purposes, specifying them?

Question 11.—What has been the average amount of the gross receipts from the market during the three years ended 25th March 1887, or to the latest date to which the accounts are made up, specifying the amounts respectively received from—

- a. Tolls,
- b. Rents,
- c. Stallages,
- d. Other receipts, giving the particulars?

LONDON CENTRAL MEAT, POULTRY AND PROVISION MARKETS.

AVERAGE ANNUAL GROSS RECEIPTS and EXPENDITURE during three years ended 31st December 1886.

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
a.	Tolls - - -	26,495 12 4	a.	Principal and interest on loans, viz.:—	
b.	Rents of market premises - -	56,176 0 9		Interest - - -	45,283 10 0
c.	Stallages - - -	Nil	b.	Officers of markets, &c. - -	7,724 7 4
d.	Other receipts, viz.:—		c.	Repairs - - -	4,825 0 10
	Reimbursements—water - -	53 15 0	d.	Removal of refuse, cleansing, &c. -	1,310 15 6
	Rent of boarding - -	206 5 0	e.	Other purposes, viz.:—	
	Sundries (sale of badges, &c.) -	20 7 10		Taxed costs, repurchase of premises	92 12 8
				Rates and taxes - - -	8,168 3 9
				Gas - - -	826 7 7
				Advertising - - -	67 19 7
				Printing and stationery - -	236 14 3
				Lead, oil, glass, brooms, &c. -	502 7 11
				Sundries (badges, &c.) - -	93 4 2
		82,952 0 11			69,131 3 7

LONDON CENTRAL FISH AND GENERAL MARKETS.

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
a.	Tolls - - -	372 9 10	a.	Principal and interest on loans, viz.:—	
b.	Rents, market shops and standings	2,743 19 2		Interest - - -	13,338 15 0
	Do., outside shops - - -	2,386 14 4	b.	Officers of markets, &c. - -	1,221 1 7
	Do., substructure - - -	600 0 0	c.	Repairs - - -	1,124 2 11
c.	Stallages - - -	Nil.	d.	Removal of refuse, cleansing, &c. -	177 3 4
d.	Other receipts, viz.:—		e.	Other purposes, viz.:—	
	Casual receipt - - -	3 12 8		Rates, taxes, &c. - - -	584 2 9
				Gas and coals - - -	462 19 2
				Printing, stationery, and disbursements - - -	197 2 1
				Ironmongery, brooms, &c. - -	48 12 3
				Sundries - - -	90 7 3
		6,006 16 0			17,244 6 4

FARRINGDON MARKET.

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
a.	Tolls - - -	524 15 8	a.	Principal and interest on loans	Nil.
b.	Rents of market shops, stands, and vaults - - -	1,574 7 0	b.	Officers of markets, &c. - -	597 15 0
c.	Stallages - - -	Nil.	c.	Repairs, &c. - - -	68 13 9
d.	Other receipts - - -	Nil.	d.	Removal of refuse and cleansing, &c. -	110 14 3
			e.	Other purposes, viz.:—	
				Rates and taxes, &c. - -	471 11 8
				Gas - - -	40 0 0
				Printing and stationery - -	10 14 1
				Sundries - - -	2 18 5
		2,099 2 8			1,302 7 2

SMITHFIELD HAY MARKET.

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Scott.

6 Dec. 1887.

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
a.	Tolls - - - -	194 11 5	a.	Principal and interest on loans -	Nil.
b.	Rents - - - -	Nil.	b.	Officers of market, &c. -	56 7 4
c.	Stallages - - - -	Nil.	c.	Repairs, &c. - - - -	Nil.
d.	Other receipts - - - -	Nil.	d.	Removal of refuse and cleansing -	Nil.
			e.	Other purposes, viz.:—	
				Rates, &c. - - - -	3 18 4
				Printing and stationery -	3 17 8
		194 11 5			64 3 4

METROPOLITAN CATTLE MARKET.

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
a.	Tolls and dues - - - -	9,862 13 9	a.	Principal and interest on loans, viz.:—	
b.	Rents of taverns, banks, and slaughterhouses - - - -	7,066 4 9		—Interest - - - -	16,842 3 4
c.	Stallages (cattle lairs) - - - -	12,737 19 8	b.	Officers of market, &c. - - - -	3,726 17 8
d.	Other receipts, viz.:—		c.	Repairs - - - -	3,131 4 7
	Tenants, gas - - - -	507 1 6	d.	Removal of refuse, cleansing, &c. -	2,591 13 11
	„ water - - - -	191 14 1	e.	Other purposes, viz.:—	
	Slaughtering accommodation -	29 5 7		Hay, straw, &c. for use in lairs -	7,464 17 4
	Sale of manure - - - -	151 8 5		Rates, taxes, &c. - - - -	2,540 14 4
	Sundries, sale of drover's badges, &c. - - - -	102 10 10		Gas - - - -	1,119 8 5
		30,648 18 7		Printing, stationery, and disbursements - - - -	195 11 11
	Rents—Dwellings for the labouring poor - - - -	1,822 16 10		Carbolic acid, medicine for horses, brooms, hose, &c. -	303 11 1
		32,471 15 5			37,916 2 7
				Dwellings for the labouring poor, Farringdon Road, expenses -	523 16 8
					38,439 19 3

LEADENHALL MARKET.

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
a.	Tolls - - - -	Nil.	a.	Principal and interest on loans, viz.:—	
b.	Rents of market premises -	7,767 12 3		—Interest - - - -	3,552 8 11
c.	Stallages - - - -	Nil.	b.	Officers of market, &c. - - - -	336 15 8
d.	Other receipts - - - -	Nil.	c.	Repairs - - - -	660 11 1
			d.	Removal of refuse, cleansing, &c. -	267 10 7
			e.	Other purposes, viz.:—	
				Rates and taxes, &c. - - - -	1,151 18 8
				Gas - - - -	308 13 2
				Printing and stationery - - - -	31 0 2
				Sundries - - - -	49 4 9
		7,767 12 3			6,358 3 0

BILLINGSGATE MARKET.

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
a.	Tolls - - - -	5,490 8 3	a.	Principal and interest on loans, viz.:—	
b & c.	Stallages, rents, market premises, standings, and taverns - - - -	* 21,840 4 5		Interest - - - -	9,405 6 8
d.	Other receipts, viz.:—		b.	Officers of market, &c. - - - -	2,835 9 11
	Land tax—tenants - - - -	56 3 0	c.	Repairs (including works on river front) - - - -	3,042 7 11
	Water do. - - - -	86 3 4	d.	Removal of refuse, cleansing, &c. -	533 19 9
			e.	Other receipts, viz.:—	
				Rates, taxes, &c. - - - -	1,896 10 11
				Gas and coal - - - -	1,538 1 2
				Printing and stationery - - - -	148 3 4
				Oilman's goods, timber, brushes, &c. - - - -	470 15 11
				Rent for accommodation on river - - - -	60 0 0
				Sundries - - - -	89 17 10
				Law expenses - - - -	201 15 5
		27,472 19 0			20,222 8 14

* It has been decided by the Corporation that 5,850*l.* of the above rents, &c. is the annual value of the old site and of City property thrown into the market on its recent enlargement.

Chamber of London,
6th December 1887.

BENJAMIN SCOTT,
Chamberlain.

No. 4.

Mr. Benjamin
Scott.

6 Dec. 1887.

MARKET of which the CORPORATION of the CITY OF LONDON is the LOCAL AUTHORITY.

RETURN to Questions Nos. 10 and 11.

FOREIGN CATTLE MARKET.

Average Annual Gross Receipts and Expenditure during three years ended 31st December 1886.

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
a.	Tolls { viz., wharfage, lairage,		a.	Principal and interest on loans, viz. :—	
c.	Stallages { market dues, and			Principal—repayment of loans -	19,000 0 0
	charges -	47,528 5 6		Interest -	7,501 16 8
b.	Rents for slaughterhouses -	5,515 18 10	b.	Officers of market, &c. -	5,049 0 11
d.	Other receipts, viz. :—		c.	Repairs -	4,384 8 11
	Charges for transhipment of		d.	Removal of refuse, cleansing, &c. -	6,471 0 9
	cattle -	4,061 11 4	e.	Other purposes, viz. :—	
	Slaughtering, &c. charges -	129 0 8		Drovers -	1,691 12 9
	Sale of manure -	750 6 8		Rates, taxes, rentcharges, and	
	Tenants for gas -	539 0 10		insurance -	7,323 18 5
	Income tax retained on interest			Gas and coal -	2,580 6 7
	on loans -	200 9 2		Printing, stationery, and ad-	
	Sundries -	76 14 9		vertising -	205 16 6
				Expenses of transhipment of	
				cattle -	2,250 7 1
				Law expenses -	498 13 4
				Sundries -	99 3 11
		58,801 7 9			57,046 5 10

Chamber of London,
6th December 1887.

BENJAMIN SCOTT,
Chamberlain.

Mr. ROBERT EDWARD DRUMMOND examined.

Mr. Robert
Edward
Drummond.

596. (*Chairman.*) I believe you are the Secretary of the Foreign Cattle Trade Association of London?—Yes.

597. And we understand that your object in coming here to tender evidence is to obtain a reduction in the market tolls levied on animals landed at the Foreign Animals Wharf at Deptford?—That is so.

598. Can you tell us what are the tolls at present charged on animals so landed?—Yes; on beasts it is 5s. per head; on calves, 2s. per head; on sheep, 9d.; and on swine, 1s.

599. Can you give us the number of animals landed at Deptford each year since the establishment of the market?—Yes. We commenced in 1872, and in that year there were 38,426 beasts, (in the word "beasts" I would include calves, because they are not separated); 122,601 sheep, and 173 swine. In 1873 there were 7,090 beasts, 2,339 sheep, and 394 swine. In 1874 there were 7,175 beasts, 114 sheep only, and 16,955 swine. In 1875 there were 29,255 beasts, 86,496 sheep, and 21,470 swine. In 1876 there were 21,860 beasts, 38,714 sheep, and 12,573 swine. In 1877 there were 67,817 beasts, 697,714 sheep, and 10,051 swine. In 1878 there were 60,675 beasts, 699,911 sheep, and 25,575 swine. In 1879 there were 81,445 beasts, 662,197 sheep, and 18,949 swine. In 1880 there were 120,196 beasts; 658,899 sheep, and 23,864 swine. In 1881 there were 108,409 beasts, 678,909 sheep, and 8,579 swine. In 1882 there were 128,676 beasts, 783,449 sheep, and 11,694 swine. In 1883 there were 126,510 beasts, 734,911 sheep, and 27,790 swine. In 1884 there were 122,982 beasts, 653,132 sheep, and 20,858 swine. In 1885 there were 107,810 beasts, 572,571 sheep, and 14,514 swine. In 1886 there were 86,969 beasts, 707,531 sheep, and 17,284 swine. That is the last return I have.

600. The largest increase I observe is in the number of sheep?—Yes. There has been a gradual increase in the number of beasts since 1879, except last year and the year before, when they fell off a little.

601. Do you think in consequence of this great increase that the charges which were fixed on the opening of the Deptford Market ought now to be reduced?—Yes, we feel that very strongly.

602. Can you compare the Deptford charges with those at the Islington Cattle Market?—Yes. The Islington charges on beasts are 6d. per head, on calves 3d., on swine 1½d., and on sheep also 1½d. That is the market charge; but if the beasts or any of the animals are not sold and it is necessary, or owners think proper to make use of the market lairage, there is an additional charge. That additional charge is, for beasts 3d., for calves 3d., for swine 1d., and for sheep 6d. per score.

603. (*Mr. Little.*) Is that for each day?—For each 24 hours; that is assuming that the animals are not sold and that they want to keep them over until the next market, they go into the lairs and the Corporation make that charge.

604. The charge in the Deptford Market includes lairage, does it not?—It includes lairage.

605. For how long a period?—For ten days.

606. (*Chairman.*) Then I infer that it is not fair to compare the Deptford and the Islington charges without that explanation?—Quite so.

607. Is not a good deal more done for the importer at Deptford than at Islington?—Only in the case of the ten days lairage; nothing more whatever.

608. (*Mr. Charrington.*) Is there not the cost of landing the animals out of the vessels at Deptford, whereas at Islington they would be driven into the market?—No; the expense of landing the animals from the vessel is paid by the shipowners. The corporation incur no expense, and take no charge of the animals until they are on their own premises. Any cost of landing is paid by the importer, or by the steam-ship owner.

609. (*Chairman.*) Are the Deptford charges in excess of those imposed at other ports for similar accommodation?—Yes, they are very much in excess of those of any other port in the Kingdom; but it is rather difficult to give a direct answer to that question without some little explanation, and if your lordship would allow me, I should like to explain, because the tolls are not levied upon the same basis. For the purpose of explanation, I should like to compare Deptford with Liverpool for beasts, and with Hull for sheep; and I select those two ports because Liverpool,

Mr. Robert
Edward
Drummond.

6 Dec. 1887.

next to London, has the largest importation of beasts in the kingdom from scheduled countries, and Hull next to London has the largest importation of sheep from scheduled countries. I have said that the Deptford charges on beasts are 5s., which does not (and this is an important consideration from our point of view) include the use of a slaughter-house. The Liverpool charge for beasts is 4s. 6d., which does include the use of a slaughter-house. Now the Corporation of London charge at Deptford for the use of a slaughter-house when their common slaughter-house is required by butchers is 2s. per head. So that in order to compare these rates from our point of view it is necessary to deduct the Corporation's charge of 2s. per head from the Liverpool charge of 4s. 6d., which would leave 2s. 6d., as the Liverpool charge for precisely the same accommodation that Deptford provides at 5s. With reference to sheep, the charge at Hull has recently been consolidated and made 6½d., which includes the use of slaughter-house. The Deptford charge, exclusive of the use of the slaughter-house is 9d. Their charge for the use of a slaughter-house in addition is 4d. If we take the 4d. from the Hull charge of 6½d., we have at Hull 2½d. for precisely the same accommodation as is provided at Deptford for 9d.

610. Do the corporation obtain any further revenue from the Deptford Market beyond the tolls that you have mentioned?—Yes, they obtain a considerable revenue from the letting of slaughter-houses, stables, and other buildings associated with the market at yearly rentals.

611. Where does the meat principally go to on leaving Deptford?—Nearly the whole of it goes to the Central Meat Market at Smithfield.

612. And there we understand that the Corporation levies a further toll upon it?—They levy a further toll upon all meat entering the market in addition to which they again charge heavy rentals for their shops.

613. So that meat going into that market would pay twice over?—It pays a second toll, and it also pays practically another rental on entering that market.

614. Have any steps been taken by the association which you represent to obtain a reduction of the charges at Deptford?—Yes; we have made repeated representations to the Corporation of the excessiveness of their tolls, and we have been before them by deputation; but unfortunately we have hitherto been unable to obtain any redress.

615. Perhaps you can tell us whether to your knowledge corporations at other ports than London derive a second toll from meat by its being sent to a wholesale meat market?—No; they do not. The custom that obtains in other places is that the animals are killed, as they are bound to be by the Orders in Council, at the place of landing; but the wholesale butchers come to the place of landing and buy their carcasses there, and take them from the landing-place direct to their own shops; so that the second toll which the Corporation of London obtain is not obtained by other corporations at other ports.

616. I presume that there would be nothing to prevent any butcher in London from doing the same thing if he thought fit?—No, there would not be anything to prevent it, only that the custom of the trade, I think would make it almost impracticable. It is not impossible, but it is to a large extent impracticable.

617. (Mr. Little.) But the foreign cattle are just in the same position as the home cattle in respect of the second toll, are they not? Supposing that a wholesale butcher buys cattle in the Islington Market, and takes the meat to the Meat Market, he pays a second toll?—Precisely the same so far as that is concerned; but the tolls in the Islington Market and those in the Deptford Market are of course very different.

618. (Chairman.) Do you consider the tolls imposed at Deptford to be a direct tax upon the consumer of

meat in London?—I do, because I think that if we could get those tolls substantially reduced, the consumer would reap benefit.

619. Do you think that the tolls are so high that a moderate reduction of them would have any considerable effect in increasing the consumption?—I think that a substantial reduction would have a very material effect in increasing the importation. Any reasonable reduction at all must necessarily have some effect in increasing the importation. We hold that there is room for a very substantial reduction on the present tolls.

620. We understand that the Privy Council have power to compel a reduction of the tolls?—That is so; under the Contagious Diseases (Animals) Act, they have that power.

621. Are you in a position to tell us whether the Deptford Market accounts show any considerable profit after providing for the working expenses and for interest on outlay?—Yes; last year, I believe, that after paying the working expenses, and the interest upon their capital outlay, the Deptford Market showed a profit of something very nearly approaching 23,000l. Their revenue for the year was 58,000l., and they show a profit of 23,000l. That is a very large profit upon the revenue.

622. But are you sure that all the expenses incurred in providing the Deptford Market are allowed for in that statement of accounts?—I believe their accounts show that; I have no reason to believe otherwise.

623. You believe that after providing for interest upon capital laid out there is a net profit of 23,000l. last year?—Yes. Our view is that these rates should be levied in such manner as to provide for the working expenses, and for the interest upon capital outlay, and to provide a small sinking fund to pay off gradually, but only gradually, the capital which has been expended. We feel that the Corporation as a corporate body acting for the public, have no right to make this large profit out of the Deptford Market.

624. You do not take into account the question of whether they are losing by their markets, which, in the interest of the public, they have set up?—No, I am not here to do that; but we feel that if they are losing by the Islington Market, the animals that go there should make up that loss. The Islington Market is almost exclusively confined to English animals, and we feel that if they are losing at Islington, and making Deptford pay for it, it is unfair to the foreign importer, especially as the Deptford rates are so very excessive as compared with the Islington rates. If there was any similarity in the rates we should not have that strong objection.

625. What do you suggest should be done with the surplus?—We think that it is only reasonable and right that it should go towards the reduction of the tolls. The foreign trade, especially in the case of sheep, is carried on at very little profit. When there is any profit at all, the margin is so very small that any reasonable reduction in the tolls would benefit the consumers, in the sense that we think that it would increase the importation of animals.

626. I presume that you have no wish to place the importer of foreign cattle at an advantage as compared with the home producer?—Not at all.

627. You wish them simply to be on an equality?—On something like an equality. We think that the tolls are so very different that the foreign importer is not receiving a fair consideration, and that he is not receiving a fair consideration so far as London is concerned as compared with the other ports of the Kingdom. The tolls of the Deptford Market are far more excessive than those of any other port in the Kingdom, and yet they get by far the largest number of animals.

628. (Mr. Little.) And a continually increasing supply?—Yes. For instance, Liverpool, which is the next largest importing port, does not have half so many beasts as Deptford; and Hull, which is the largest importing port of sheep, does not have one-

tenth of the number of sheep that Deptford has; and we hold that there is a margin for a very substantial reduction.

629. (*Chairman.*) Is there any other point to which you wish to draw the attention of the Commission?—No, I think not. I think I have stated the substantial points of our case.

630. (*Mr. Charrington.*) Can you inform us whether this profit of 23,000*l.* and odd which was made by the corporation in respect of Deptford Market last year is much in excess of, or is about the amount that they have been making in the last few years?—I believe it is within reasonable bounds about the same amount that they have been making for several years past. I believe that they have applied some of that profit to paying off the capital. Our argument is that they had no right to apply a large sum yearly to pay off the capital. We think that it should be done gradually by some small sinking fund or something of that sort.

631. Have you ever heard what the capital outlay has been?—I could not give you the exact figure. I think that last year they reduced it to something like 130,000*l.* It has been considerably more than that, I know, but they have from time to time been reducing their capital.

632. (*Chairman.*) You do not object to a certain amount being set aside for the reduction of debt?—No.

633. But you think that the quantity has been excessive?—Yes.

634. (*Mr. Elton.*) It is usual, I understand, for the market authority to provide the slaughtering accommodation direct in those other ports of which you have spoken?—They are bound to provide it, but in London they let their slaughter-houses.

635. But what I asked you was, whether in the other places it is usual for the market authority to provide direct slaughtering accommodation?—So far as the ports are concerned (and my knowledge does not go outside the landing port) that is so.

636. Therefore this provision of slaughtering accommodation at second hand through lessees is in your opinion a very unusual course for the market authority to adopt?—No, I do not think that; I think it is a very desirable arrangement.

637. That the slaughter-houses should be let to the lessees?—Yes.

638. I gathered that you thought that the fact of the slaughter-houses being let to the lessees by the market authority increased the charge for slaughtering?—No, I do not think you quite understood what I meant. Besides the slaughter-houses which the Corporation let to ordinary tenants they have to provide a common slaughter-house which can be made use of by butchers who have not their own slaughter-houses within the market; and if the butchers want to make use of the Corporation's common slaughter-house, as I call it, they have to pay for it so much per head as I have stated.

639. Paying for using the common slaughter-house?—Yes.

640. Then is the common slaughter-house sufficient for the amount of slaughtering that is required?—It is sufficient for that which is required of it; but it is not sufficient to provide for the slaughtering of all the animals that come into the market. They are bought by various butchers and slaughtered at their own private slaughter-houses within the market limit.

641. The slaughtering charges are very heavy in London as compared with those in other parts, whether you take the slaughter-houses as let or the use of the common slaughter-houses?—I do not say that it is an excessive rent that the corporation obtain for the slaughter-houses that they let; but that sort of thing does not obtain at other ports, and if a man has to pay 2*s.* per head for his bullocks for the purpose of using the Corporation slaughter-house, it is a very heavy charge in addition to the 5*s.* which is already charged.

642. I presume then that the charge is not much higher than the average that he pays when he leases a slaughter-house,—that it bears some relation to the rent of a private slaughter-house?—No, I do not think it bears any relation whatever to it. I do not know exactly what a man pays who hires a slaughter-house from the Corporation, but probably the charge is 70*l.* or 80*l.* a year; and that man would in some cases very likely kill in that slaughter-house 3,000 or 4,000 bullocks in a year.

643. If he has a larger trade he can get it done at a very much cheaper rate?—Yes, because he hires his slaughter-house yearly.

644. Then the accumulated charges or tolls, (some of them charges and some tolls) of which you spoke, which the foreign cattle landed in London have to bear, are the landing charge, the lairage charge if the beasts require lairage for ten days, the slaughtering charge, and the toll at the Smithfield Meat Market, before they reach the consumer; and therefore they appear to have to pay more charges than are usual in markets at other ports?—Yes, that is so; they are together, very much in excess of the charges at any other port in the Kingdom.

645. And it is very often necessary of course for the lairage charge to be added?—The Corporation make their own arrangements and they say, "There is our place and those are our charges, and for these we give you 10 days' lairage."

646. The course of trade requires the use of the lairage accommodation does it not?—Not to the extent of ten days. Very often the animals landed there in the morning are killed the same night.

647. Do you pay the same for ten days as for one day?—Yes.

648. (*Mr. Little.*) Would your Association prefer that there should be a separate charge for the landing and then for the lairage at so much a day?—No; the importers would prefer that they themselves should pay the whole of the charges whatever they may be.

649. But do they prefer that the charge should be the same whether the lairs are used for one day or for ten days?—Yes, they prefer that.

650. (*Mr. Elton.*) I understand that it is not convenient, having regard to the course of the trade for the carcase butchers to come to Deptford, and that therefore it is practically necessary for them to go to Smithfield?—The carcase butchers all come to Deptford, and buy their animals alive. They then take their carcasses to the Smithfield Market and the retail butcher comes to the Smithfield Market and buys of the carcase butcher.

651. There is no accommodation, is there, for freezing-houses and cold chambers at Deptford?—No.

652. Is that a subject which you have considered?—Yes it is, and we think it is very desirable that such accommodation should be provided. The Corporation I believe, have at this moment the matter under consideration. But if it were provided they would charge an extra toll for that of course.

653. Do you consider that the position of the Corporation as Parliamentary local authority over the Deptford Market is distinct from their position as the ordinary market authorities in the City? I understand you to object to the Deptford Market and the other markets being thrown into one account, so that the losses on the market which is a private estate should be made up out of the market where they are only the Parliamentary local authority?—Yes, I do object that the loss, if loss there be, that is incurred at the Islington Market, (because it applies only to the Islington Market) should be made up out of the tolls of the Deptford Market. If the Islington Market is making a loss, our argument is that they should increase the tolls of the Islington Market sufficiently to meet that loss.

654. The Islington Market has nothing to do with the Deptford Market; it is held under another title?—Quite so; but I believe that the Corporation say: "We lose so much per year on the Islington Market, and we must recoup ourselves by making Deptford

Mr. Robert
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Drummond.

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Edward
Drummond.

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"pay for it." We object to that, and we think that it is not fair.

655. You would object to the Deptford tolls being used to recoup any other city loss upon any other account?—I should; and I might add that we have reason to know that if the Corporation's monopoly of Deptford Market were revoked, as regards the Corporation or any other body, we could get the same accommodation that is now provided at Deptford, through one of our large dock companies or corporations, for less than half the rates that are now levied by the Corporation at Deptford.

656. That of course is a matter of talk or gossip rather than of certainty, I suppose?—No; I have been in communication with the dock companies, and, from my knowledge, I am prepared to say, that if the Privy Council could be induced to give a licence for a second foreign animals wharf for London, either one or the other of our large dock companies would be prepared to give us the same accommodation that Deptford is giving now for less than half the present rates. I may mention that at the other ports the local authority over those markets is not the corporation of the town, but it is the Dock Board. For instance, in Liverpool it is the Mersey Dock Board; in Hull it is the Dock Board; in Bristol it is the Dock Board; and in nearly every port in the kingdom the local authority for the foreign animals wharf is not the corporation of the town, but the Dock Board.

657. Is Deptford under a mayor and corporation?—The Corporation of London are the local authority, and they have the entire control; the people in the market are their servants, and they are the local authority for the market.

658. But are they the local authority for the place?—Yes, so far as the market is concerned, but not for Deptford.

659. I am pointing out to you that that is not an example of the kind that you thought, because you say that the corporation of the places are never made the market authorities, and the Corporation of London is not the Corporation of Deptford?—No, but the Deptford Market is practically taken out of Deptford altogether. There is that one spot in Deptford, that the corporation became the local authority for.

660. They have annexed it to London?—Yes, that is so.

661. (*Sir Thomas Martineau.*) Have you any information about the profit on the Dead Meat Market?—No, I have not.

662. Supposing that no profit is made, as we have reason to believe, do you not think that there should be a sinking fund provided also there to pay off their

debt?—Yes, I think, generally speaking, it should be so. I do not take exception to the tolls that are levied upon meat going into that market.

663. But if you had to provide a sinking fund, you would have to increase your toll at Smithfield?—Yes, but then we should all contribute to that equally, that is to say, the English meat would contribute towards it in the same proportion as the foreign meat contributes. We argue now that the foreign live meat is altogether over handicapped.

664. But so far as the community is concerned, it would be about as broad as it is long, would it not; because, if you increased the toll at Smithfield, in order to pay for the Smithfield Market and diminished it at Deptford, because Deptford charges too much, the consumer would get no benefit?—But my argument is rather that instead of increasing it at Deptford you should decrease it at Deptford, and you should increase it at Islington, because there is where the loss is being made. Our profit at Deptford ought not, from our point of view, to go to recoup the loss made upon the other market.

665. But my point is this: should not Smithfield contribute to a sinking fund as well as Deptford, or any other market?—Yes, I think so.

666. And if necessary you would increase the toll at Smithfield in order to allow of a sinking fund at Smithfield?—Yes, if they are making any loss; but as I have always understood, it is not so. I am not speaking from figures and I cannot tell, but they levy heavy rents there in addition to the tolls.

667. But they do not pay off debts?—I am not prepared to speak upon that.

668. (*Mr. Charrington.*) Are you aware that it has been stated to us that the Corporation have no power to increase the tolls at Islington, and that they have made one or two attempts in Parliament to get power to increase the tolls, but that such power has been refused?—That may be so; but I still think that that is no argument why the Deptford profit should go to pay off the Islington deficiency.

669. (*Chairman.*) Would you be better pleased if the Deptford profits went to pay off the Deptford debt?—Yes, so that the Deptford tolls could be reduced.

670. Ultimately?—Yes, but we would rather have them reduced at once with a small sinking fund to reduce the debt gradually. Our argument is, that the Deptford tolls should be kept in a separate account, and that they should be only such as to provide for interest and working expenses. We are at a disadvantage at Deptford as compared with any other port in the Kingdom, and the high rates are seriously detrimental to the importation of animals there.

The witness withdrew.

Mr. W. H.
Winterbotham.

6 Dec. 1887.

Mr. W. H. WINTERBOTHAM examined.

671. (*Chairman.*) We understand that you are legal adviser to Sir Julian Goldsmid and the freeholders of Spitalfields Market?—I am.

672. And you have come to give us some information as to the history and present position of that market?—I have.

673. I think we may assume that it has been carried on on the present site for 200 years?—As far as documentary evidence goes, it has been carried on on the present site since the grant of the market by Charles II. in 1682.

674. I understand from the statement which you have laid before us that there were two charters, one in 1682 and the other in 1688, granting the right of holding markets on different days?—Yes; the earlier grant was for markets on Thursday and Saturday, the later grant confirmed the market on Saturday and gave markets on Monday and Wednesday in lieu of Thursday's market; but those days have not been strictly adhered to, as far as I have been able to ascertain, and, as far as living testimony

will take us, the market has been always held on Tuesdays, Thursdays, and Saturdays, and during very busy seasons of the year there are sales on the other days as well.

675. There is no limitation as to the articles to be sold in the market?—There is none in the original grants.

676. But we gather that in practice the market has been principally used for the sale of vegetables?—Vegetables, fruit, and roots.

677. What are the local limitations of the market?—The grant is to hold a market "in or near to" or "adjoining Spital Square," but there are no further limits, and it was decided by the judges in the recent case that so long as it was adjoining the square it might spread as far as necessary.

678. Will you tell us what the area of the market is?—The freehold ground owned by the owners of the market is about two and three-quarter acres, without reckoning the soil of the streets, of which probably the freeholders would claim half.

Mr. W. H.
Winterbotham.
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679. Does that include the houses round the market?—That includes the houses that are upon the site.

680. (*Mr. Little.*) Are those dwelling-houses?—Mostly shops, but many houses which were upon the site have been cleared away lately. The area that I have given includes the houses that are or that were until recently upon the site.

681. (*Chairman.*) We gather that the freehold of the square is divided between two families, the Goldsmid family and the Scott family?—That is so.

682. (*Mr. Spencer Charrington.*) Can you tell us what the total open area of the market is?—That is a point upon which the lessee, who, I believe, is to come before the Commission later on, will be able to speak more certainly than I can. The space has been largely increased in the last two or three years by pulling down houses upon the site and enlarging the open space. It was found that the area was somewhat crowded, and by the new lease which was granted provision was made for that enlargement of the open space.

683. (*Chairman.*) A new lease was granted, as I understand, in 1882, to the present lessee, Mr. Horner?—It was actually granted in 1883, but the negotiations were commenced in 1880 and the new term ran from Michaelmas, 1882.

684. The rent from the date of the expiration of the old lease in 1886 is 5,000*l.* a year?—Yes.

685. Without going into details, we may take it that since the new lease was granted there has been a large outlay upon the market by the lessee, and a considerable improvement of the market?—There has been a very large outlay on the market by the lessee; 55,000*l.* at the least was to be expended by the lessee, and he has covered in the central square with glass. I think he has an acre and a half of glass there. He has cleared the site of a great many houses so as to give more open space for the stands and for the waggons.

686. We understand that within the last few years there has been a good deal of litigation with regard to this market?—There has been a good deal of litigation with the Great Eastern Railway Company, who attempted to establish a rival market at Bishopsgate.

687. Will you tell us what the result has been?—The result of the litigation has been to establish, by the decision of the House of Lords, the validity of the original charter and the title of the present owners to hold a market at Spitalfields. The question was fought in the Court of Appeal and in the House of Lords, whether the two charters were valid. The second charter, the charter of James II., has been declared to be invalid, but the earlier charter, that of Charles II., has been declared to be in full force.

688. Will you state the ground upon which the second charter was held to be invalid?—The second charter was granted during the interval between the taking away of the City rights by the Stuarts and their re-creation by Act of Parliament after 1688. It was held that it could not be taken that the City had assented to the grant of that charter, because it was granted at a time when their rights had been forcibly taken away, and moreover the Act which restored the City rights declared void all grants of charters in derogation of those rights made by the Stuarts since the judgment against the City.

689. However, the market rights of the owners under the first charter were upheld?—Yes.

690. I understand that there is nothing peculiar in those rights, they are simply those that generally belong to the owner of a market?—Yes; I may say generally they are the rights which attach to all chartered markets.

691. Was an attempt made in the course of the litigation to dispute the owner's rights on the ground that inadequate accommodation had been afforded?—Yes; that was pleaded in the first instance, and evidence on the point was offered before the Vice-Chancellor before whom the case first came, and the

point was also pressed before the Court of Appeal and the House of Lords.

692. I gather that Lord Selborne in his judgment in the House of Lords dealt with that point and declared the plea that inadequate accommodation was afforded to be groundless?—He did, upon the evidence submitted.

693. We shall have evidence with respect to the tolls from the lessee?—He will be able to speak more certainly as to the tolls than I can.

694. Have you had any other litigation?—Besides the litigation with the Great Eastern Company the lessee has had some litigation with regard to this market both with the local authority and with some adjoining proprietors who were establishing something in the nature of a rival market. That, of course, Mr. Horner will speak to more certainly, but I know the general character of the proceedings.

695. The lessee objected to another market being established in the immediate neighbourhood?—Not precisely the same sort of market as in the case of the Great Eastern, but certain persons on the opposite side of the road sold goods on commission; not only in a large warehouse, but from waggons in the street, without paying toll, and he took proceedings against them, and they were made to pay him toll.

696. Was it the owners of the market or the lessee who took proceedings against the Great Eastern Company to prevent their establishing a market at Bishopsgate?—It was the freeholders and the lessee acting jointly who took proceedings with regard to Bishopsgate Market.

697. We understand that the Great Eastern Company proposed, for the benefit of their shareholders, to utilise the site of their abandoned passenger station at Bishopsgate by establishing a market there?—That was so.

698. And thereupon the owners of Spitalfields Market gave notice to the Company that such a market would be an infringement of their rights?—That was so.

699. The works were nevertheless proceeded with?—That was so; we gave them notice, in December 1881, that such a market would be an infringement of our rights; but the works were proceeded with and the market was opened in July 1882. As they declined to stop what they were doing, proceedings were commenced against them in January 1882.

700. Did the Company take any steps, besides proceeding in the courts of law, to keep their market open?—After the decision of the first court against them, and pending an appeal to the Court of Appeal, they went to Parliament and asked for parliamentary powers to keep the market open.

701. We understand that Parliament refused the application?—That application was refused; the ground of refusal being that the Company had not accepted the decision of the first court—that they were appealing from that decision, and coming to Parliament at the same time to reverse the decision. The merits were hardly gone into.

702. (*Sir Thos. Martineau.*) The appeal was pending?—Yes. The chairman of the committee distinctly stated that the Committee would not say that there were not other grounds, besides the pending litigation, upon which they might have refused the application, but they refused it upon that ground.

703. (*Chairman.*) Upon the ground that proceedings in the courts of law were actually pending?—Yes.

704. When the case went to the House of Lords the decision was in your favour?—It was.

705. A further action was brought against the Company by Mr. Horner in regard to another market established by them at Stratford?—Yes.

706. After the decision in the House of Lords in your favour, and pending that action brought by Mr. Horner against the Company, was an agreement or compromise come to between the parties?—There was.

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707. Will you state, generally, the terms of that compromise?—The terms very shortly were these: that the proceedings brought by Mr. Horner, with regard to Stratford Market, were to be withdrawn; that the Company were to be at liberty to continue to keep open Stratford Market; that they were to be at liberty to re-open Bishopsgate Market, and that they were to pay to Mr. Horner an annual sum, fixed according to the amount of produce sold at those markets.

708. (*Mr. Little.*) What was the date of that agreement?—The agreement was dated June 1885. Perhaps it would make the matter clearer if I gave a few dates. The Great Eastern Company advertised their Bishopsgate Market in December 1881. We began the proceedings in January 1882; they opened their market in July 1882; we obtained the judgment of the first court in January 1883; they came to Parliament in the following session; the judgment of the Court of Appeal was in December 1883; the market was closed in January 1884; the decision of the House of Lords was in July 1884; and the agreement was come to in June 1885.

709. (*Chairman.*) To enable the railway company to perform their part of the agreement, they had to come to Parliament?—Yes, they had no power to enter into such an agreement, and they came to Parliament to get parliamentary sanction to the agreement.

710. Certain parties objected to their having the power to enter into the agreement?—Yes; the West Ham Corporation and other persons appeared before the Committee of the House of Commons, and took exception to the agreement.

711. And in the result the Committee declined to give parliamentary sanction to it?—That was so.

712. What was the next step taken by the Company?—They struck out of their bill the agreement, and they altered the clauses (which, as they originally stood, provided that they should do what they proposed to do with regard to the markets, subject to the terms of the agreement) in such a way that Parliament was asked to give them absolutely the rights which they had previously agreed to pay for, without any reference to the owners of Spitalfields Market.

713. If I understand rightly, they had agreed to pay to the owners of Spitalfields Market a certain compensation, in consideration of which they were to be allowed to open their market?—Yes.

714. The Committee declined to sanction the agreement, and thereupon the Company asked for power to open their market without reference to the agreement or to any compensation to be paid?—That was so.

715. On that occasion were the owners of Spitalfields Market present as opponents?—No; the freeholders were not there at all. Mr. Horner was watching; but as the Company were simply asking, in the first instance, to confirm an agreement, of course he could not oppose; he simply petitioned against alterations, I think; but as soon as the Company brought forward their amended bill, he, of course, became an opponent. And the owners petitioned also. They came in towards the end of the inquiry.

716. What was the decision of the Committee of the House of Commons on the bill as amended?—They passed the bill in the amended form. I might mention that negotiations took place between the parties, before the bill got to the House of Lords, and the Railway Company agreed to insert a clause providing that they should not do what they proposed in infringement of the rights of the Spitalfields Market owners except by agreement; but as the whole of the market clauses were struck out of the bill by the House of Lords the matter remains in *statu quo*.

717. That is to say, the owners of the market, by the judgment of the House of Lords have the power to prohibit the opening of a market at Bishopsgate?—That is so.

718. Has any agreement been entered into with the Company or not?—The agreement that was entered into, and which they came to Parliament to sanction,

provided that it should remain in force for three years. At present, therefore, it exists as between the parties only it may be questioned whether it is not *ultra vires* so far as the Company is concerned. I may say that, as a matter of fact, the Great Eastern Company have not opened the Bishopsgate Market again, though they have not closed the Stratford Market; but I believe they are paying to Mr. Horner, in respect of Stratford Market, the same as they would have been paying under the agreement if it had been in force. Stratford Market never was closed, but the Company came to a compromise while the proceedings against them by Mr. Horner were pending, they having, as I am informed, been advised that they would be defeated. They are keeping that market open, paying Mr. Horner what they had agreed to pay him under this arrangement.

719. (*Mr. Spencer Charrington.*) They pay him a royalty, in fact?—Something in the nature of a royalty.

720. (*Chairman.*) Is there any other fact in connexion with this market which you wish to put before us?—I think not; any question as to the accommodation now afforded or as to the tolls would be answered more completely by Mr. Horner. I have every reason, on behalf of the freeholders, to be satisfied with the way in which he has carried out his lease and the way in which he has been improving the market. I believe that he has made a very fine place of it, and that he is fully carrying out not only the letter but the spirit of the lease.

721. I see it is asserted in another statement, not forwarded by you, that the ground of the rejection of the bill of last year by the Committee of the House of Lords was that a Commission had been appointed to inquire into the whole question of markets; do you confirm that statement?—I cannot say what moved the Committee of the House of Lords to reject it. There was a good deal of discussion in Parliament—in the House of Commons more particularly—with regard to it that may have influenced their minds, but that was not stated. I was present myself and I know that nothing was stated about it.

722. (*Sir Thomas Martineau.*) Have you heard of any complaints being made on the part of the public as to the tolls charged or the accommodation provided in Spitalfields Market?—No; I have heard people speak generally very approvingly of Mr. Horner's management. He has organised the market, it having been in a very disorganised state before, and both buyers and sellers are very anxious to have a well-conducted and well-managed market. He is not only the lessee but he is the actual manager, always on the spot, with his sons, morning, noon, and night, and I believe both buyers and sellers speak well of him.

723. (*Mr. Little.*) The owners and the lessee, I suppose, in the action they have taken, have been simply defending their right of property; they have a valuable property in the market?—Yes, certainly.

724. They have not, of course, been considering the interests of the public; they have been simply fighting for their own interests?—I can hardly put it so. To begin with, they have duties to the public, and if they did not perform those duties they would be liable to have their grant cancelled. Further than that, unless the market is thoroughly well conducted, and plenty of accommodation is given, their tolls will fall off. The success of a market depends upon its being well managed. No doubt it is true that Mr. Horner is carrying on the market for his own benefit; it is the same as every other private enterprise.

725. I believe the Great Eastern Company, when they proposed to establish their market at Bishopsgate, contended that there was great additional expense in moving goods from their station to Spitalfields Market, which would be avoided if their market were established at Bishopsgate?—Yes, it was contended that there would be a saving in the carriage of goods that came by their railway.

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726. Bulky goods—agricultural produce, such as potatoes, carrots, turnips, and mangold wurtzel?—I think mangold wurtzel and turnips and all horse and cattle fodder were to be brought only as far as Brick Lane; it was not proposed then to bring anything of that kind into Bishopsgate Market, but potatoes and articles for human consumption were proposed to be brought there.

727. Spitalfields is a wholesale as well as a retail market, is it not?—Yes.

728. Chiefly wholesale?—No, I think it has been called a costermongers' market. I do not know whether you would call such a market chiefly a wholesale market. There is a great quantity of this sort of business,—the market gardeners bring their goods up in waggons, which stand on market days in the open space in the centre of the market, and the costermongers and small traders come and buy those goods,—there is a very large amount of that sort of trade.

729. There is a great deal of produce consigned from the country by rail, is there not, which is moved from the railway to the market?—Yes, potatoes particularly.

730. We shall be able to get from Mr. Horner, or someone representing him, some particulars as to the quantities of vegetables and other produce that are sold in the market in the year?—No doubt.

731. And as to the tolls that are charged?—No doubt.

732. (*Mr. Spencer Charrington.*) You stated that, according to the charter, the market was limited to certain days, but from time to time the market has been opened on days other than those, tolls, of course, being taken on those other days; has any question ever arisen as to the legality of that course?—The charter does not expressly limit the markets to particular days, but gives markets on the days named. I believe, as a matter of fact, there is no record of the date at which sales began on other days than those named in the charter. It has been held by the courts that any sales in a market on other days than the market days, if made without the approval of the market owner, would be a disturbance of his market. It was decided in the old case of *Yard v. Ford* that sales on other days than the market days, even at a place at some distance, would be a disturbance of the market. I take it that the owner of a market could prevent sales on other than the chartered market days, or could permit them on payment of the same toll as was taken on the chartered market days.

733. May we take it that no question as to the power to levy these tolls has ever arisen?—The local authority brought an action against Mr. Horner for obstructing the streets, and I think the question was raised there. He, or his solicitor, would speak as to that better than I could, because I was not concerned in that litigation.

734. We know that the Baroness Burdett-Coutts has a market called Columbia Market close by; did the owners of Spitalfields Market make any objection to her having a vegetable market as infringing upon their rights, in the same way as they did in the case of the Great Eastern Railway Company?—The Act establishing that market was passed just at the time of the death of the previous owner of Spitalfields Market, and nothing was done at the time. I believe, as a matter of fact, it was entirely overlooked; Spitalfields Market was not at that time in the hands of the present owner, but in the hands of the father of the present owner, who died the very year that Act was obtained; but I am under the impression that it has only become a fruit and vegetable market recently, that it was in the first instance a general market for all kinds of produce.

735. One thing failed after another, and at last it came to a vegetable market?—Yes.

736. Has the Baroness Burdett-Coutts power under her Act to continue it as a vegetable market?—Yes.

737. Without reference to Spitalfields Market?—Yes.

738. (*Mr. Elton.*) You told us that a doubt was raised as to the concurrent validity of the two charters of Charles II. and James II.?—That point was raised by the Great Eastern Company.

739. In the result it was decided that the charter of James II. was invalid?—Yes.

740. Then the doubts as to the validity of the charter of Charles II. were removed?—Entirely.

741. That charter is the governing law of the market?—I could hardly say that; that is certainly the foundation of the market so far as I know.

742. Is there any other foundation?—I do not know. The market has been held on days other than those named in that charter for 100 years, and probably for 200 years. I take it that, as a matter of law, if we had not been able to produce any charter at all, but simply proved that we had held a market on that site for 200 years, either a grant would have been presumed, or some right would have been assumed from the very long user.

743. There would have been prescription in that case?—I take it so.

744. There can be no prescription against a modern charter?—There might be prescription for the other days. If, as a matter of fact, the grant of the charter was to hold markets on Thursdays and Saturdays, and it was found that markets had been always held on Tuesdays as well, I am inclined to think, as a matter of law, that it would be assumed that there was a right to hold such markets.

745. Do you suggest that there was a Tuesday market before Charles the Second's time?—I cannot say whether there was or not; there is no evidence one way or another.

746. You cannot tell us with confidence that the Tuesday's market was held concurrently with the Thursday's and Saturday's markets in the time of Charles II.?—I cannot. I think the law would presume a right to hold a market by prescription on the Tuesday, if it was proved that it had been held on that day for 200 years.

747. Is there any means of seeing the charter which established Spitalfields Market?—It is in the Record Office.

748. Has it been printed?—Yes, there is a translation of it in the Appendix to the case prepared for the appeal to the House of Lords.

749. You explained to one of the Commissioners your view that an owner of a market held in a certain place on one day in the week could prevent another person setting up another market on another day of the week; would you say that a person having a right to hold a market in a certain place, say on Tuesday, could establish a market on Wednesday in the same place and take tolls in it if he liked?—I take it that he could; certainly on his own land.

750. Without the necessity for a charter?—I think he could, that is my view of the law. Assume that there was no other market in the neighbourhood, I take it he could let any person sell goods upon his own land upon payment of such sums as he thought fit to charge. I do not see any difference between that and taking a toll.

751. Could he bring an action against the person for not paying what he demanded?—Yes, I think he could for use and occupation of his land; he might not call it a toll. I do not know whether there is any legal definition of toll.

752. (*Mr. Spencer Charrington.*) Could he take a toll in the adjoining streets, not on his own land?—That is another question.

753. (*Mr. Elton.*) Then we are told that in certain seasons of the year the market is held even on other days than the Tuesday and the chartered days. What seasons?—In the summer, when great quantities of fruit and vegetables are sent up which will not keep, more particularly soft fruit. People send them up day by day and they cannot be kept in the hot weather for any length of time.

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754. On what days in those seasons of the year do sales take place in the market besides Tuesdays, Thursdays, and Saturdays?—I believe some sales are going on every day in the week inside the market square.

755. On Mondays, Wednesdays, and Fridays, the market square is used, I take it, with the concurrence of the owners of the soil, for selling various articles?—I would rather that Mr. Horner spoke to that, because he knows more about it than I do, but I have always understood so.

756. With regard to accommodation, you said that it was the duty of the owners of the market rights to provide proper accommodation?—I take it so, certainly.

757. And I understood you to say that in the litigation there was no evidence that there had been any persistent or habitual refusal to provide accommodation to any one who wanted it?—That was so.

758. It was held that proper accommodation was provided in fact?—The market was crowded on market days, and no doubt the trade was increasing, but there was no evidence of insufficient accommodation according to the decision of the judges in that case.

759. Have the freeholders anything to do with the regulation of the Monday, Wednesday, and Friday sales that take place occasionally?—Nothing; they have granted their lease to Mr. Horner under certain conditions which he has to observe.

760. What is leased to Mr. Horner by his lease?—The market and the land.

761. Is there any special stipulation about the use of the land distinguishing between chartered market days and non-chartered market days?—It demises the whole in very general terms, giving him all such rights as the freeholders had.

762. (*Mr. Spencer Charrington.*) Is there any restriction in the lease as to the amount of tolls he may charge?—There is nothing in the lease with regard to that.

763. (*Mr. Elton.*) Does the lease say anything about the power to charge tolls on these off days?—

I do not think there is any special mention of it. The lease grants all the rights that the freeholders had.

764. To apply your own theory for a moment. Suppose a person has a charter to hold a market on a Monday, he has a market square, market officers, and all the apparatus of a market. In the course of time he finds it convenient to have a market on another day, and, without saying anything to anybody else, he holds a market, say on Friday too; in that case the public would have no protection, supposing he had no right to hold such a market, for they would think he was acting under a charter which gave him the right to a Friday market as well. The public would think that the Friday market came under the same charter as the Monday market?—No doubt.

765. Under such circumstances there would be a danger of their being obliged to pay in the way of toll money which could not be lawfully demanded?—I think I can best answer that question by referring to the decision of the Court of Appeal in the case of *The Attorney-General v. Horner*, which is reported in the Law Reports (14 Q.B.D., p. 245). Lord Justice Lindley distinctly laid down in his judgment in that case that while the franchise of the Spitalfields Market is restricted to Thursdays and Saturdays this does not interfere with the right of the owner of the market to sell on other days. His words are:—“Charter or no charter, franchise or no franchise, he could buy and sell vegetables on that square like anyone else, because he was the owner of the square.” Adopting Lord Justice Lindley’s view, I submit that the owner of the square is entitled, if he allows such sales, to make a charge for that permission, and I should consider it immaterial in what form that charge is made, whether as rent for the occupation of the land, or as toll for permission to sell. I may add that it is a great convenience to the public to have the market square open to them on every day, because opportunity is thereby afforded for the sale and purchase of perishable goods.

The witness withdrew.

Adjourned to to-morrow at 12 o’clock.

At No. 32, Abingdon Street, Westminster.

FIFTH DAY.

Wednesday, 7th December 1887.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.

SIR THOMAS MARTINEAU.

MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.

MR. WILLIAM C. LITTLE.

MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. William
Augustus
Casson, F.S.S.

7 Dec. 1887.

MR. WILLIAM AUGUSTUS CASSON, F.S.S., examined.

766. (*Chairman.*) We understand that you have interested yourself in the subject of market rights and tolls for a considerable time?—That is so.

767. You are a clerk in the Local Government Office, are you not?—I am.

768. But we understand that you do not appear here in your official capacity, but simply to give us the benefit of the experience which you have acquired?—Yes.

769. You wish to lay before the Commission some evidence as to alleged abuses connected with market rights and tolls, do you not?—I do.

770. We are further given to understand that your evidence relates only to England and Wales, and not to Scotland or Ireland?—That is so.

771. In the first place, have you any remarks to offer as to the return which was prepared by order of the House of Commons in February last year?—I have. In particular, I want to point out some respects in which it is inaccurate and in other ways misleading.

772. The Commission will be glad to hear anything that you have to state either as to the alleged inaccuracy of the return or as to its insufficiency as a

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basis of inquiry?—In the first place, I would say that the return does not distinguish in column 4 between the gross receipts from markets and the receipts from tolls, stallages, and rents, especially rents of shops used for market purposes, and even for purposes unconnected with markets, such, for instance, as where there is a large market-place and the outside portion of the market-place is let out to ordinary shopkeepers for the conduct of their ordinary business. This return does not distinguish how much of the gross income is derived from those sources and how much is derived from the sources strictly connected with the market.

773. You object, if I understand you rightly, to the inclusion under the heading of market rights and tolls of certain items which are not properly rights or tolls; is that so?—Yes, that is so; that is to say, that this return is insufficient as a basis on which to investigate this question.

774. I understand you not to say that it is inaccurate, but that it is insufficient, on the ground of not distinguishing between the two things, which are separate?—As regards that column, I would point out that it is inaccurate as well as misleading. For instance, I will take one case as an example of the inaccuracy. In the case of Huddersfield the gross receipts from the market are given as 5,482*l.*, whereas from the published accounts of the Huddersfield Corporation it appears that those figures are true as regards only one of their markets, that is the market hall, as they call it; but there are other markets, the cattle market, for instance, from which there is an income of 261*l.*; and then there are hawkers' licenses for sales out of the market, 106*l.*; and then there are tolls received for Lockwood feast, whatever that is. So that it is clear that these figures are not the correct figures that appear in the corporation accounts for the same year. There is a difference of some few hundred pounds.

775. But it is only an assumption, I suppose, that the return is inaccurate, and that the other accounts are accurate?—These accounts are certified to be accurate by the auditor.

776. (*Mr. Little.*) Lockwood feast would be a fair, I suppose?—It might be, but it all comes under one head, the market fund account. I only cite that one case, but there are others that I could mention.

777. How do you make out that hawkers' licenses to sell out of the market should be included in the receipts of the market?—I will deal with that later on if you will permit me, because that is a subject that I want to draw attention to, the levying of charges upon people who sell outside a market as part of the market rights.

778. (*Chairman.*) In regard to column 4 of the return, are there any observations of the same kind which you wish to make?—I would point out that the information, so far as that column gives it, shows very clearly that large incomes are derived from market undertakings, and I would point to the following places as examples: Chester, Stockport, Derby, Plymouth, Stockton-on-Tees, Bristol, Hereford, Maidstone, Ashton-under-Lyne, Blackburn, Bolton, Burnley, Chorley, Liverpool, Manchester, Oldham, Warrington, Leicester, Norwich, Northampton, Nottingham, Hantley, Wolverhampton, Brighton, Birmingham, Middlesbrough, Bradford, Halifax, Huddersfield (which I have already mentioned), Leeds, Cardiff, and Swansea. Those are cases where it is shown that large profits are made. At Bradford 5,000*l.* a year is paid to the lady of the manor for the lease of the market rights; and, notwithstanding that, something like another 5,000*l.* goes as net profit to the corporation. That is on page 32, in column 5.

779. (*Mr. Little.*) Does it follow that that 5,000*l.* is not included in the 17,000*l.*?—The 17,000*l.* is gross receipts; the 5,000*l.* is one payment, and then over and above that there is a very considerable profit made.

780. (*Chairman.*) I understand you to state that the information supplied in column 3 as to the manner

in which market rights have been acquired is incorrect; can you give any evidence of that?—In the first place there are only three methods by which market rights can be obtained: by grant from the Crown of a charter, or by prescription, which presupposes a grant, or under statute. In some of the cases mentioned in this return, local boards, which could only have been formed since the year 1858, say that they possess market rights by prescription. On page 72 there are two or three instances of that. The Slaithwaite Local Board, which is of comparatively recent establishment, say that they hold market rights by prescription; at Wombwell and at Llandilo, in Carmarthen, they say the same; and there are many other cases that can be found through the return clearly showing that the return is inaccurate as regards the manner in which these local boards acquired market rights. If they did acquire them under statute they ought to have said so; if they did not acquire them under statute they cannot be legally exercising those rights.

781. (*Mr. Maclean.*) There could be no prescriptive right if it only went back as far as 1858. But does not that mean that they have vested in them now, under the statute of 1858, some prescriptive rights which had previously been in somebody else?—That may be the meaning of it, but I am disposed to doubt whether it is the meaning of it; because the only way that they could hold a market would be by complying with the requirements of the Act of 1858, or of the Act of 1875; and then they should say that they obtained the market rights under statute and not by prescription. But I have met with cases where local boards have certainly not obtained the right by complying with the statute, and yet are still exercising the rights simply because, as they say, no one else has prevented them.

782. Does it appear in any of those cases whether any one were exercising the rights before the formation of these boards under the Act?—I have not inquired into that, and I cannot point to a particular case; but I have seen cases the other way where market rights have really been assumed by a local board in this way since their establishment.

783. Then there must have been some rights before in somebody or in some authority?—It might not have been so, because sometimes a committee of farmers living, say, outside a town, will make up their minds that they will have a weekly sale of their cattle in the town, and in time they come to form themselves into what is called a market committee; and you will see cases here where the rights are said to belong to the market committee, that is such a committee as I mention. Then after a time they have determined that they will hand over their rights to the local board, though really they have not any rights to hand over, and the local board take those rights, or what they consider to be rights, and continue to exercise this market right when, as a matter of law, there is no market at all.

784. (*Mr. Charrington.*) So far as you are aware is any objection raised to the exercise of these rights unauthorised by any statute?—I cannot point to any case.

785. Are they oppressive in any way, and do the people complain of the exercise of them?—I cannot say that any one has complained of it; but of course the natural tendency of these things is that directly the local board assume these rights they want to use the power of excluding anybody else from exercising similar rights; so that in that way it might be oppressive.

786. (*Chairman.*) The way in which you put it I understand is this: that in the first place a market is created having no legal or prescriptive rights, and no exclusive privilege; that the committee managing that market then transfer their functions, whatever they may be, to the local board; and the local board thereupon claim such rights and privileges as belong to a legally established market?—That is so; and if the local board then desired we will say to make byelaws,

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or to get a table of tolls approved by the Government Department, the question would then be investigated, and of course the Government Department would refuse to sanction the byelaws or the tolls, because there was no legally established market. But notwithstanding that, the local board would still go on exercising those rights.

787. You say that that may have happened; have you any instances within your knowledge where it has happened?—I know that such cases have occurred, but I could not make use of the information which I possess about them.

788. You have been informed that such abuses exist, but not in such a manner that you are prepared to prove them here?—That is so.

789. (*Mr. Childers.*) You mentioned to us the case of Huddersfield, and you said that the sum named in this return as the gross receipts in the market does not agree with the sum given in the borough account; would you be good enough to tell us what the sum given in the borough account is?—In the market funds account it is stated that on the side of the revenue from the market hall 5,482*l.* are received.

790. That tallies with the figures in the return?—It does. In the same account there are these items: "Tolls received, 76*l.* Lockwood feast;" "cattle market. Tolls received, 102*l.*"; and then "hawkers' licenses for sales out of the market, 106*l.*" My point is that those items being over and above the 5,482*l.* mentioned in the column, it is clear that the column is incorrect.

791. The hawkers' licenses of course are not Government hawkers' licenses, but hawkers' licenses issued by the corporation?—Yes.

792. Have they any power under any statute to issue and levy for hawkers' licenses?—I have not investigated that point, but I know there are many cases where corporations exercise but do not possess the power. Their possession of it is exceptional; I would not commit myself to saying whether they have it or have not.

793. With regard to the cattle market, do you know why it is outside the return?—No, I do not. I only mention this as one case.

794. Have you any other still more striking case among those which you have enumerated to us?—There are cases to prove that the gross income, or the gross receipts as given here, show pretty clearly that there must be a considerable profit.

795. You do not dispute the accuracy of the statement of the gross receipts in these cases?—No.

796. Is there any other case besides Huddersfield in which you do dispute the accuracy of the item of gross receipts?—I have no specific case. I am only prepared to prove my point by one case; but there are other cases.

797. But you cannot name them at this moment?—I cannot name them.

798. (*Chairman.*) I understand that you object also to the statements in column 8, which mentions whether or no the markets are held in the street; you consider the statements made under that heading to be misleading?—I do. My reasons are these: the question at the head of the column is, "Whether the markets, or any of them, are held in the streets of the town?" In some cases the return says "yes," and that "yes" is intended to cover the holding of the market in a market-place, which is nothing more than an enlargement of the street. In other instances they say "no," when the case is precisely the same. There is a large market square, such as we see in many provincial towns, and in some cases they call that the street, while in other cases they do not. So that you cannot total up in this column how many cases there are in which the markets are held in the open street, because the market square is to all intents and purposes a street, and in how many cases there is covered accommodation provided.

799. But are you not treating two separate questions as one? A market is not held in the streets

if it is held in a wide open space appropriated to that special purpose?—If that wide open space is nothing more than an enlargement of the street, such as we have in front of us in Palace Yard, then that, although it may be commonly called and known as a market-place, is in reality a street. If it were not a street the local board would have no right whatever to re-pave it and charge the ratepayers with the cost of managing it. If it is a street, then some of these people ought not to say "yes," and others ought not to say "no."

800. What your objection comes to is this: that the expression of markets being held in the streets is in itself an ambiguous one?—Yes.

801. Then I understand that you have observations to make with regard to the information given in column 9, as to the market accommodation provided, and the cost of it; will you tell us what comment you have to make upon that?—In that column it is in some cases stated that the market accommodation has been provided at a certain expense, at a cost of so many thousand pounds. But that statement in some cases includes the cost of acquiring the market rights, which in themselves are no accommodation; and in other cases it includes the cost of acquiring the market rights and certain premises, such as the market hall, and lands connected with the market hall on which other property is standing.

802. (*Mr. Little.*) You complain that it does not distinguish between the cases of acquiring the rights without accommodation and those cases where there was accommodation bought with the rights?—That is so.

803. (*Mr. Childers.*) Could you give a salient case?—I would take the case of Manchester, which is a very prominent case, and which appears on page 17. There it says that the corporation purchased the manorial rights, markets, and properties at a cost of 200,000*l.*, and that they have since expended in extensions and approaches 359,000*l.* In that case it is impossible to say how much was for market accommodation pure and simple, and how much was for properties which by purchase of the then market premises belong to the corporation.

804. (*Sir Thomas Martineau.*) At all events it does not include the 200,000*l.* for the purchase of market rights?—No, they have expended 359,000*l.* in addition; but then the 200,000*l.* for the market rights includes the manorial rights, markets, and properties as they say, and one cannot distinguish how much was paid for the market rights themselves as distinguished from the other things.

805. (*Chairman.*) Are you sure that any distinction was made in the original purchase; may not the actual proprietor of the manorial rights, and of any other property connected with them, have sold what he possessed in a lump without distinguishing between the various items?—That may be so.

806. In that case it would be impossible for the return to give fuller details than it does give?—Yes; but my point is that we cannot institute any comparison between the cases of purchase of market rights in this place, and in any other place, where it is clear that the market rights were negotiated for and purchased for a sum of, say, 3,000*l.*

807. Have you any suggestion to offer as to how the fullest particulars might be obtained in reply to the queries which the Commission has issued?—On that point I should like to be permitted to say that the mere interrogation of the clerks to local authorities in the first instance, or of lords of the manor, as to how, and under what authority, the market rights are held, and how they are exercised, leaves opportunity for very misleading answers, and that it would be possible to reply to a good many of the questions in such a way as not to put the Commission on the track, for instance, of abuses which may be going on. If the reply is that the market is held by prescription, then it may be investigated, as I have seen cases investigated, and it may turn out that there is no prescription

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at all; but that there is a charter which was perhaps granted to some one other than the individual who is exercising the market rights for the time being. In that way the answers given, need to be followed up and further searching questions put; and really in many cases nothing short of local inquiry on the spot would solve some of these questions. In particular, one mode of investigating these points that I would suggest would be, for instance, to ascertain what information is possessed by the Record Office. I have myself made researches there, and I have found that they have an index devoted exclusively to market charters, and many of those charters throw considerable light on events that are now going on. You will find that a charter has been granted to one individual, and now someone else is exercising what are believed to be the market rights, but is not exercising them in the way that the original charter contemplated. I will point to one instance where the market was originally granted for one day in the week, and it is now held on two days; or to another instance where it was originally granted for two fixed days, and it is now held on two other days.

808. Then, as I understand you, you think that these matters cannot be cleared up without a local inquiry in every market town?—To a very large extent it points to that. I do not say that local inquiry would be necessary in every town, but before the rights can be thoroughly ascertained inquiry to some very considerable extent is necessary.

809. (Mr. Charrington.) By that you mean that in many cases the charters are not strictly adhered to?—That is so.

810. (Mr. Childers.) And the first part of your answer was that in many cases the present claimants do not represent the original grantees?—Yes, that is so.

811. (Mr. Charrington.) The rights have been bought and sold frequently?—They may have been, and in some cases you find that someone is claiming a market who cannot connect himself with the original grantee.

812-3. (Mr. Childers.) Either by sale or by inheritance?—No.

814. (Chairman.) Have you any evidence to give as to the manner in which market rights are exercised?—I have. In particular, I would explain that the market rights are, as a rule, exercised by lords of manors over the whole of their manors, and on market days in particular parts of the manors. The rights claimed amount to the levying of a tax upon all goods brought into the market or into that particular manor on certain days. I would point to one case which I have myself seen, namely, Builth, in the county of Brecon. There the access to the town is by three roads; two of those roads come over bridges, and the toll takers or collectors stand on each of those bridges, and at a point on this third road, and every person who brings in an ox or sheep has to pay a certain sum to those men as he brings the animals in. After the three men have paid their receipts to the authorised person the money is taken away and the cattle are left to be sold in the street, and considerable nuisance is created in the town because the streets are rather narrow; and the local authority are left to clear up the filth. The only tax that can be levied upon that source of income would be income tax. I point to that as a case illustrating how a market right can confer the power on an individual to tax the trade of a locality without giving any compensating advantage whatever, and with in fact the incident of throwing an actual burden upon the ratepayers of the place.

815. To whom did the toll go in that case?—It went, when I saw it, to the lord of the manor; but since then I believe the local board have acquired the market rights. That case is mentioned on page 72.

816. (Mr. Little.) According to this return the rights were leased to the local board?—Yes.

817. (Mr. Childers.) Do you mean that the lord of the manor established a sort of what the French call *octroi* round the town, or round the whole manor?—

It is so round the town, because the rest of the manor is probably all fields.

818. And the lord of the manor claims to levy it upon everything that passes his custom house, so to speak?—Yes, that is so.

819. (Mr. Little.) On certain days?—Yes, on certain days.

820. (Chairman.) I understood you to say that in the case you mentioned the right, or the alleged right, of holding this market had been transferred to the local authority?—It has since been transferred.

821. According to your observation is not that happening in many parts of the country without any parliamentary pressure or any fresh legislation being required?—It is, and there are several things that tend to bring that about. In the first place the local authority can, as a rule, make a market more profitable than a lord of the manor can; and in other ways the rights are being transferred.

822. (Sir Thomas Martineau.) I see that it is stated that the Builth Market is leased to the local board at 20*l.* per annum; if so, the collection would be made by the officers of the local board, would it not?—It would now, of course.

823. But it would under this return?—Yes, under this return. As a matter of fact, I think the transfer took place just in the year when this return was drawn up.

824. By transfer do you mean that they bought up the whole of the rights, or that they have taken this lease of them under which they pay 20*l.* a year?—They have taken a lease, and for that lease they pay 20*l.* a year.

825. And they now collect the tolls themselves?—They now collect the tolls themselves; and one effect of that would be that at the end of the lease the market would go back to the lord of the manor, and the state of things that I have referred to would be revived.

826. (Mr. Childers.) As to this case of Builth, column 9 is rather mysterious; apparently two market-places have been erected in the town at a cost together of 8,000*l.*; has the lord of the manor or the local authority any interest in those?—I do not believe that the local authority would have any interest in them now, but so far as I was able to ascertain, knowing the two places, they were started with the consent of the lord of the manor. They are called private market-places, but as a matter of fact one is a kind of hall which is used for a good many things, and is only resorted to by people in wet weather, and the other is a kind of crypt under some other buildings, and it is principally used by the shopkeepers of the town, who simply rent the different shops round this hall and sell ordinary goods there. It is nothing more than a series of shops; it is not a market.

827. My point was this: does the produce, whatever it may be, the cattle or the vegetables, sold in these two market-places pay toll to the lord of the manor or to the local board?—I do not know.

828. Are the receipts included in the 20*l.*?—No, I should say certainly not, because the shops are let out at yearly rents.

829. But is no toll paid on the produce sold?—I should not think so, because where a rent is taken as a rule that is intended as a commutation of the toll. These are not tollable goods that are sold there.

830. (Mr. Little.) Was any board displayed at the places where the collection was made so that people knew the amount of the toll?—No, nothing.

831. There was nothing to indicate what was the proper toll?—Nothing at all.

832. (Chairman.) In the case which you have cited, and which, I presume, you take as a typical case, what you complain of is that a profit, which may or may not be considerable, was derived by the lord of the manor from the market, he not being required to do anything in return?—That is so. This is a very small case; one does not want to trouble the Commission with a series of instances all precisely

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similar, but there are scores of cases that all point to the same thing.

833. I presume that it is in that view that you have described these rights in the paper which I hold in my hand as restrictive of trade?—I do, because the rights when they are exercised by the lord of the manor, and no accommodation is given in return, amount to nothing more or less than a tax upon commodities, and in that way they are paid by the consumer. But where the tolls are leased to a local board one finds cases where the local board is composed to a large extent of shopkeepers, and those shopkeepers find it to their interest to fix such scales of tolls and to take such stallages and rents as will make it unprofitable to outsiders to come into the town to trade, so that the goods cannot be sold at a less price than the shopkeepers themselves can sell at. In that way the trade is considerably restricted, and of course the production of goods, such as farm produce, is restricted, and one may say that through the profits being forced down in that way land is not cultivated that might be cultivated.

834. You are putting it in this way, as I understand: that the shopkeepers in certain market towns combine to keep the market tolls or other market charges high in order to obtain a practical monopoly for their own shops?—That is so, and that is one reason why local boards all over the country are seeking to acquire the rights of the lords of the manors, because they can exercise those rights to their own advantage and to the detriment of the consumer.

835. But the local boards are elected by the whole of the population?—You must remember that there is a limitation to the qualification for a member of a local board; a man must be possessed of 500*l.*, and he must be rated to a certain amount, and that very often determines the thing. One cannot say that the elections are always conducted in such a way as to obtain on the local board gentlemen who would be disinterested in such a matter as this.

836. But a great mass of the ratepayers are consumers and cannot possibly have any interest in maintaining such a monopoly?—It is not pointed out to them in that light; they do not see it in that light; they look upon it as rather that the people in the town, the shopkeepers, and so on, need to be protected against the people outside, who do not pay any rates and taxes, coming in to trade in their town.

837. But if they think there is any grievance they have the remedy in their own hands, have they not?—They have theoretically; but practically no election, I think, would ever turn on such a point as this.

838. (*Sir Thomas Martineau.*) The election to a local board is by household rating suffrage, is it not, just as it is in the boroughs?—It is not the same.

839. Do you not think that if in any district, whether municipal borough or local board, it got about that the food of the people was being raised in price for the benefit of a few shopkeepers, the shopkeepers would be turned out at the next election?—Experience shows that it is the other way, and that they do not get turned out. The thing can generally be put in such a plausible way; the ratepayers are told that the market brings in a profit of so many hundreds a year, we will say, and that that profit goes to the reduction of the rates.

840. That is true, is it not?—That is true. They would then say, "As that is the case, if this is prevented the rates will have to be higher." It is not clear to the masses of the people, to the ratepayers, for instance, how that works.

841. But do you seriously mean that you think it would be desirable to take these rights out of the hands of local authorities constituted as they now are?—No, I think it is desirable that local authorities should possess market rights; I would not take them out of their hands.

842. Then what would you do with them to remedy the evil which you consider to exist?—I would prevent their making any profit out of the market.

843. Would you prevent their making any profit at all?—Anything more than a safe margin. I would prevent their so carrying on the market as to get a large profit which would go to the relief of the rates. My contention is that the levying of market charges in such a way as to produce a large profit is unfair to the people who have to pay the market charges, because they themselves do not get an equal benefit from the surplus that goes to the rates, and although they pay the whole of the market dues other people share in the benefit. I would illustrate it by a hypothetical case, and I will take the case of Bradford. There the gross receipts were 17,416*l.* (page 32). If the rent of 5,000*l.* is deducted it leaves 12,000*l.* The result of that must be that there is a net profit which I roughly estimate at 4,000*l.* or 5,000*l.*

844. (*Mr. Childers.*) After paying interest on the cost of buildings?—After every outgoing is paid, I think that represents roughly about the net profit. I will assume that there are 1,500 men living in the town who are rated at 10*l.* a year, and also that there is a property belonging to some company which is rated at 15,000*l.* a year; that is rather excessive, but if you take two companies rated at half the amount it would be the same thing. I do not know what the rates are, but I will assume that they are 3*s.* in the *£*. We then have 15,000 men rated at 10*l.* paying 2,250*l.* in rates, and one company rated at 15,000*l.* also paying 2,250*l.* in rates. The 15,000 men would contribute to the profit on the market to a greater extent than they would be relieved of their rates, because the joint assessment of themselves and the company for 30,000*l.* to the rates would be the basis of relief, and the 15,000 men would, as between themselves and the company, be the sole contributors towards the profit by the payment of tolls. The company, of course, not being consumers, would pay no tolls. Assuming the profit from the markets to be enough to reduce the rates 3*d.* in the *£* (it may be considerably less), the company would benefit by a reduction of their rating to the extent of about 187*l.*, and the men who as consumers contributed to produce the profit would collectively be relieved to the same amount, although individually they would get very slight relief; each one would get $\frac{1}{1500}$ th of 187*l.*, while the company would get a total relief of the same amount. I would use this as an illustration to show the hardship of taxing the food brought into the market, and then distributing the surplus of taxation over the expenditure necessary to manage and collect it, not according to the number of stomachs, but according to the valuation of the rateable property.

845. (*Chairman.*) I understand your point to be this: that the local authority, where it is in possession of a market, has no right to make any profit out of it for the relief of the rates beyond what is necessary, I presume, to pay interest on any sum which they may have expended in providing the necessary accommodation or in purchasing the market, and I presume you would also add a sinking fund to pay off any debts so incurred?—That is so. My contention is that the receipts from the market taken on their present basis should be devoted to the extinction of the capital charges.

846. Have you reason to suppose that in many cases large profits are made by local authorities upon the markets?—Yes, and those are the cases which I mentioned in dealing with column 4. (*See Question 778.*)

847. (*Mr. Little.*) You only gave us the instances where the receipts were large; we have no information as to the deductions from those receipts?—No.

848. In the Bradford case, which you are arguing upon, you have 161,000*l.* paid for the market, and you have 17,000*l.* gross revenue, from which 5,000*l.* has first of all to be deducted, which leaves only 12,000*l.*; then 5 per cent. upon 160,000*l.* is another 8,000*l.*; and then there are all the expenses of the market?—Five per cent. would be too high. Corporations can borrow at 4 per cent.

849. But I am allowing for a sinking fund?—They do not always pay off by sinking funds.

850. (*Sir Thomas Martineau.*) I was going to ask whether all this is assumption about the profit being 4,000*l.* or 5,000*l.*?—As a matter of fact it is not all assumption, because the local taxation returns show (I could not get hold of them or else I would have brought them with me) that there is a sum of nearly 5,000*l.*, I think, paid to the rates as income from markets.

851. (*Chairman.*) I understand you to put it in this way: that a considerable amount of the market charges so imposed fall upon persons who derive no benefit from the local expenditure?—Yes, so far as people bringing goods into the market are concerned, and so far as the tax falls upon them. As regards the actual income derived from markets, I would draw attention to the report of the Inland Revenue Commissioners, who give the assessment to income tax derived from markets and tolls. That gives some rather curious results. The total income from markets and tolls in the year 1876 was 672,000*l.*; in 1880 it was 601,000*l.*, and in 1885 it was 611,000*l.* That was the gross assessment in the United Kingdom. In so far as it relates to the year 1885, the net amount is slightly lower, as against 611,000*l.* the gross assessment for 1885, the net assessment is 605,000*l.*: and of that 605,000*l.*, 583,000*l.* relates to England, 24,000*l.* to Scotland, and 47,000*l.* to Ireland. The number of individuals, corporations, and companies who are assessed in respect of that is in the metropolis 11, and in the rest of England 931, making a total of 942 for England; then there are 157 in Scotland, and 400 in Ireland, making a total for the United Kingdom of 1,499.

852. (*Mr. Little.*) Under what schedule is that assessment?—Under Schedules D. and E.

853. Do you know practically what deductions are allowed from gross income?—On that point I have consulted surveyors of taxes, and they tell me that the cost of collection is the only deduction allowed.

854. Would they get anything allowed them for interest that they paid; would they be charged upon the interest?—That I cannot say; I have no practical experience with regard to that.

855. Would they not be assessed upon the sums which the corporations pay for interest on borrowed money?—Perhaps they would. That I cannot say.

856. (*Chairman.*) There is nothing, as I understand, to show how much of that 600,000*l.* a year, upon which income tax is paid, is interest upon expenditure actually incurred?—No, I cannot speak as to that. In continuation of these figures there is one other matter to which I should like to refer. The classification of assessments shows that out of that gross assessment of 611,000*l.*, 125,000*l.* was for the metropolis, 413,000*l.* for the rest of England, 24,000*l.* for Scotland, and 47,000*l.* for Ireland. So that England is most concerned in the matter.

857. You have spoken of the large profits derived from markets, but you are not able to say what amount of accommodation given to the public they represent?—No.

858. You have shown what the public pay, but you have not the means of showing what the public have received in return?—No. As I have already pointed out, this return does not give that information.

859. I believe you are in a position to tell us what services were formerly rendered by the owner of a market in return for tolls levied?—The common law text-books state very clearly that originally market owners were required to perform certain duties. The principal among those was the settlement of disputes; and in other ways they were required to protect the market generally against inroad; and of course in turbulent times they undertook the protection of the people and of the goods in the market. None of those duties are ever required to be performed now. In order to show that they used to perform various duties, I would ask the permission of the Commission

to read a rather interesting proclamation which was made, and which I believe is still made, in a market at Broughton-in-Furness. The market there is opened by the bailiff, and he reads a proclamation in the following words: "O yes, O yes, O yes! The lord of the manor of Broughton, and of this fair and market, strictly chargeth and commandeth on Her Majesty's behalf, that all manners of persons repairing to this fair and market do keep Her Majesty's peace upon pain of 5*l.* to be forfeited to Her Majesty, and their bodies to be imprisoned during the lord's pleasure. Also, that no manner of person within this fair and market, do bear any bill, battle-axe, or other prohibited weapons, but such as be appointed by the lord's officers to keep this fair or market, upon pain of forfeiture of all such weapons and further imprisonment. Also, that no manner of person do pick any quarrel, matter, or cause for any old grudge or malice to make any perturbation or trouble upon pain of 5*l.*, to be forfeited to the lord, and their bodies to be imprisoned. Also, that none buy or sell in corners, back, sides, or hidden places, but in open fair or market upon pain of forfeiture of all such goods and merchandise so bought and sold, and their bodies to imprisonment. Also, that no manner of persons shall sell any goods with unlawful mete or measures, yards or weights, but such as be lawful and keep the true assise, upon pain of forfeiture of all such goods and further imprisonment. Lastly, if any manner of persons do here find themselves grieved, or have any injuries or wrong committed or done against them, let them repair to the lord or his officers, and there they shall be heard according to right, equity, and justice. God save the Queen and the lord of the manor!" That proclamation was read in that market only a year or so ago. Another duty that used to be performed was the holding of the Pie Poudre Court. The only place where I know that such courts are still held is Bristol, and I have a cutting from a Bristol paper which I found in 1885, where it is reported that the Pie Poudre Court, according to custom, was opened beneath the portico of a certain tavern, and that the court, attended by policemen and bailiffs, adjourned to what is known as the Tolsey Court, and before proceeding to business the members who officiated partook of toasted cheese and metheglin. Many of the forms, it says here, have fallen into disuse, but still the court is now annually held. That is the only case that I know of where the court is still held; but there is a statute still on the Statute Book, 17th Edward IV. cap. 2., describing the duties that are to be performed at these courts. None of those duties are now rendered, and the lords of the manor simply take their tolls, rents, and stallages and pocket them.

860. You put it in this way, as I understand you: that the right of taking tolls was originally granted only in order to meet expenses to which lords of manors were put in protecting and regulating the market?—That is so.

861. And you contend that when the services ceased the payment ought to have ceased also?—I do, except so far as any accommodation is given.

862. (*Sir Thomas Martineau.*) The gross receipts in Bradford are given at 17,416*l.* The expenditure by the corporation is given at 161,078*l.*; 4 per cent. on 160,000*l.* is 6,400*l.*; and they pay 5,000*l.* a year rent. That makes 11,400*l.*, leaving only 6,000*l.* for management. According to what you have seen in the case of other boroughs, is not 6,000*l.* a very small sum for management alone?—In the first place, one is not certain as to how much of that 161,000*l.* still remains for interest to be charged upon it. It would appear that the debt was incurred some years ago, because it says here in column 3 that the markets are held by the corporation under the Local Act of 1866, that is 21 years ago. That gives time for the paying off of a considerable portion of this 161,000*l.*, and I should be disposed to doubt whether the whole of that 161,000*l.* is now bearing interest.

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863. Is it not the practice to make an equal payment on a loan during the whole period of the loan?—Yes; that would be so.

864. Then, if so, although there has been a sinking fund, the payment goes on just the same for a period of probably 60 years?—True; but then that annual payment would not include interest on the whole sum, it would only include interest on such portion of it as remained unliquidated.

865. I think not?—Or else there would be more paid than the loan.

866. The usual practise, as I take it, is this: that you do not reduce year by year the amount according to what you set aside as sinking fund?—In all cases loans are not paid off by sinking fund, but sometimes by direct instalments of principal and interest.

867. Have you any information as to what is done in the case of Bradford?—I have none as to how this loan is being paid off.

868. Then how do you get, may I ask, at the statement that they do make a profit of 4,000*l.* or 5,000*l.*, because the figures look to me very different?—What I stated was that if a profit of 5,000*l.* is made it goes to the subsidising of the rates. That was a hypothetical case; but Bradford is an actual case in which a considerable profit is made by some one.

869. I cannot see where it is made; however, we shall get at the figures hereafter. Have you any means of knowing the amount realised by the commodities sold in Bradford Market during the year?—No, I have no information upon that point.

870. Then, I suppose, you cannot tell me, supposing that a remission of 4,000*l.* or 5,000*l.* were made, what proportion that would bear to the amount of sales of commodities?—No.

871. You cannot tell me whether, supposing that remission were made, it could amount to enough to reduce the price of the commodities, or whether it would go into the pockets of the dealers in the market?—Of course, my contention would be, that so long as there is free competition, and the number of dealers in the market is not limited, so that they could form a ring, the price of commodities is bound to go down so soon as anything which is equivalent to a tax upon the commodities is remitted.

872. But you do not know what proportion is borne by this 4,000*l.* or 5,000*l.* a year to the enormous sum that is obtained in the markets?—No.

873. Therefore you cannot tell how small a remission would answer the 4,000*l.* or 5,000*l.*?—No, I have no means of ascertaining that.

874. I think you rather contemplated its going into the pockets of the vendors dealing in the markets, that is to say, that they can sell their goods, minus the reduction in the toll; that is to say they are charged a smaller amount of toll. Supposing that they cannot reduce the price of their goods by that amount it would be so much given to the vendors in the markets, of course?—It turns upon what are the laws governing the incidence of such taxation.

875. It is the simplest point in the world; if it does not go to the consumers it goes to the dealers in the market?—Yes; but I should not admit that it does not go to the consumers if there is free competition. If there is not free competition it might be pocketed by some of the salesmen who formed the monopolists; but so long as it is not a monopoly, and anyone could come there and compete with those persons who are the sellers, then the remission made by the corporation would necessarily go to the consumer by the operation of the free competition.

876. Still it is perfectly possible that it would go into the hands of the market people who come in and use the market?—It is possible if you limit the number of people who can come in; but my contention is that all markets should be free to everyone, and that they should not be as they are now. Take the City of London Market, Smithfield Market, or take such a market as Leeds, where there is only a certain place called the market hall; that is divided up into shops,

and there is only accommodation for a certain number of people.

877. I want to ascertain whether, supposing that the remission does go into the hands of the market dealers, you consider that an improvement and a fair thing to the shopkeepers in the town?—My view is that the market should be really in competition against the shopkeepers of a town, and that it should be a means of doing away with such shopkeepers in the town as may not have any *locus standi*; that is to say, shopkeepers who are dealing in commodities, such as butchers' meat and agricultural produce, and things which could be sold cheaper and more readily in the market. Those shopkeepers, except so far as they have a private trade of their own, would find the market in competition with them; and the natural results would be that such of them as were unnecessary would die out.

878. All the shopkeepers pay rates, of course?—They do.

879. Those people outside pay no rates?—No, that is so.

880. Do you think it a fair thing, then, that outsiders who contribute nothing to the expenses of the borough should have a place provided for them free, or as nearly free as possible, and should thereby get an advantage over the shopkeeper who does pay the rates?—That is really an argument which, if I may be permitted to say so, has been urged in favour of the imposition of protective tariffs in international trade. It is urged that shopkeepers and people in England want protection against the foreigner who comes into our country to sell, and does not pay any of our rates and taxes. My reply would be that those people who come into the market with their goods may be presumed to have already paid their rates and taxes in places where they come from; and there is no reason why we should increase the cost of production of commodities by imposing what is virtually a tax upon those commodities for the purpose of protecting a number of tradesmen who are middlemen and distributors, and who are really in excess of the actual demand which the community has for distributors.

881. But then you must remember that these outside persons get the advantage of the market hall and of the other accommodation which has been provided, of course, at some time or another by the inhabitants?—My contention is that market tolls, and rents, and should not be wholly remitted; and that the people who come into the market and enjoy the accommodation should still pay so much of the charge that is now levied as represents rent, because rent is an item which, taken as a general rule, does not enter into the cost of production, and rent therefore falls upon the seller. I would still let it fall upon him, and he would not be then in unfair competition with the local tradesmen, but would only be a serious competitor so far as the local tradesmen, by their number being considerably in excess of the needs of the town, have invested more capital than the needs of the trade require, and were necessarily compelled to exact higher profits than would be otherwise necessary.

882. How would you get at the rents that should be paid?—Free competition would settle that; not competition such as there is at present where there is a market hall, as in the City, which is insufficient to supply the needs of the salesmen. In the Smithfield Meat Market all the shops have, I believe, for years been let, and a person has the greatest difficulty in getting a shop. Competition there runs those shops up to a very excessive rent. Under the old system when a market-place became insufficient for the needs of the market it was lawful to extend the market into the adjoining streets, and that was most recently recognised in the Spitalfields Market case. There the courts recognised that if the limits of the square were insufficient for the market needs the market might be carried into the adjoining streets, and so free competition among the intending tenants still rules. That is how I would get at the actual rent—by

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having the market accommodation as a matter of fact in excess of the demands for the time being.

883. In calculating your rent you aim at gaining a particular sum, I suppose; is it to cover the cost of management, or what besides?—Rent is, taken generally, a charge for the use of land and premises. What people would be willing to pay and could afford to pay out of the profits that they made in their business would be settled by themselves in competition, and I intended later in my evidence to suggest how that subject should be dealt with. Perhaps I may continue my explanation now rather than bring it in afterwards. In suggesting, as I intended to later on, that markets should be free except so far as this charge for rent was made, my desire was to suggest that the rent, which forms the income of the corporation or other body owning the market, should be devoted to paying the charges of management and the cost of repairing for the time being, and that instead of devoting the rent to the subsidising of the rates they should devote that rent to the cost of management; and it would generally be found that the rent would be sufficient to pay all costs of keeping the property in repair, and of collecting the rents and looking after the market.

884. Then would you limit it strictly to such a requirement? Supposing that after all it produces a profit beyond that, what then?—I would suggest that it would be desirable that that profit should be formed into a separate fund to be devoted to some similar purposes to that from which it was derived, and that it should not be given in subsidising the rates. I may be permitted, perhaps, to instance a case very much in point, that is the Borough Market. I do not propose to say anything about the markets in London beyond just incidentally referring to this case. A salesman in the Borough Market tells me that the trustees of the Borough Market say that they have taken counsel's opinion, and that they find they have no power to utilise the large surplus at their disposal for the extension of the market, although the market is already very much in need of improvement and extension. The net profit which is made is 7,000*l.* a year, and that is paid apparently under the terms of a Local Act to the overseers of the poor of the parish in which the market is situated. So that the inhabitants of that particular parish have their rates subsidised to the extent of 7,000*l.* at the expense of the trade of the whole of the south of London, or whatever part of London happens to deal at this particular market. That is the abuse which I would urge needs to be remedied.

885. (*Mr. Charrington.*) The experience of the City of London, as we heard yesterday, was that they make no profit in their markets, but that the expenses of management and the interest of the money borrowed to form the market eat up all the tolls, and that the rates get no benefit from them; though in the isolated case of the Spitalfields Market, which is not a city market but is in private hands, there is a large revenue made?—I am not prepared to say anything in reference to the markets belonging to the city because, although I have a good deal of information upon that subject, I do not propose to touch anything that concerns London.

886. (*Mr. Little.*) Referring to the Borough Market and the profit of 7,000*l.*, which goes to the ratepayers, would it not be the fact that over and above the cost of maintaining the market itself the ratepayers of the immediate neighbourhood would be put to expense in consequence of the roads being used by heavy traffic to and from this market, because all those who come to the market use the roads that are provided to the market?—That is so; but, of course, that would be simply an argument for the reimposition of turnpike tolls.

887. It would not necessarily lead to that. I think I understood you to say, in answer to Lord Derby, that it was not intended that the grantee of a market should get anything more than repaid him for his expenditure in providing accommodation, and in guard-

ing the market and establishing a court?—As I understand it, the original intention of the grant was that certain duties should be performed by the individual to whom the grant was made, and that in return for those duties there was a right to demand tolls from people coming to the market.

888. I am not questioning the correlative duties which devolved upon the owner of the market, but can you show that it was not intended as a privilege and as a source of profit to the grantee in early times?—I think to some extent it was intended as a source of profit, and especially so far as stallages and piccages, and other similar rights, were concerned. Take for instance the case of a ferry. A man was granted the exclusive right of a ferry across a certain part of a river. That obviously carried with it a duty, and there could be no income from the ferry so long as no one was ferried across. It seems probably to have been contemplated when the ferry was granted to any individual that he should make a certain profit to himself; but there were limitations imposed continually as to the charge which he could make for taking people across, and he was entitled to keep all the balance, and so, I think, it would be with markets.

889. You are aware that where a market was established the owner of it was very careful to prevent, if he possibly could, another market being established anywhere near?—Yes.

890. The corporations and the monastic houses that got markets granted looked with great jealousy upon the grant of any market near, did they not?—Yes.

891. And probably we may assume that there was a profit even in those days?—Undoubtedly. As soon as a man got the market rights he tried to make a profit out of them.

892. (*Mr. Charrington.*) You would not recommend that a market should be so absolutely free as to throw the expenses of superintendence and cleansing, and so forth, upon the inhabitants of the town?—I would not.

893. That would hardly be fair?—Certainly not. There again I was intending to deal with that question later. I have a precedent, and one which may be regarded, perhaps, as a very good precedent, in favour of the contention that markets should be wholly free; and that is, a Report of a Select Committee of the House of Commons in 1826 on the Tolls and Customs in Ireland. All the abuses then existing in Ireland were gone into, and the Committee, after suggesting that a law should be enacted reforming the then existing law in reference to tolls, concluded by saying: "Your Committee anticipate the most beneficial consequences from requiring the grantees and patentees of the Crown themselves to sign and furnish the schedule of their claims, subject to the supervision and correction of the Court of King's Bench. "Your Committee trust that these persons will, before they make such returns, inquire cautiously what are their legal rights, and will exclude from the schedule every demand which is not fairly sustainable. "A collateral benefit may arise from this enactment, and the honourable example already given by some persons, and by a corporation entitled to toll, who have waived their rights, may perhaps in other cases be imitated. When it is considered that these burthens cannot but check the improvement of the country, by restraining trade, and discouraging the division of labour, and when it is also recollected that the greater number of grantees and patentees are also proprietors of estates in the neighbourhoods of the fairs, markets, and ports where such tolls are demanded, it may perhaps be found that a full equivalent for the tolls abandoned would be found in the improvement of the cities and towns themselves, wherein free markets would then be established, and of the lands in their vicinity. This is, however, a consideration for the proprietors of tolls themselves; the duty of the legislature is to guard against undue or illegal exaction, and to afford, as far as is possible, to the poorest classes of the community a protection from any unjustifiable or

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"exorbitant demand. This becomes the more necessary, as these claims, objectionable as they now are, must become still more onerous in proportion as Ireland advances in industry and manufactures. The exaction of improper tolls and customs has been brought under the notice of Parliament by the Reports of the Select Committees of both Houses. Your Committee agree in thinking the subject to be one requiring the most serious and the earliest attention."

894. (*Mr. Childers.*) Putting aside for the moment that suggestion of the Committee, your opinion I take to be this: that on the one hand we have tolls paid on produce, and stallages or rents, or whatever they are called, paid by the people who deal in the market; and you think that the amount of those two together should, with a reasonable margin, be equal to the current expenditure on the market, an interest and sinking fund on what has been borrowed to erect it?—That is my view.

895. You do not think that less should be charged than will produce such an amount, but you do not think that more should be charged, to go in aid of some other object?—That is my contention; but I would further urge that so soon as the sinking fund has extinguished the capital charge, then the tolls should be remitted to such an extent as will cover the current expenditure.

896. Then the tolls and stallages or rents, or whatever they are called, should be brought down so as to leave only a reasonable margin above the annual expenditure?—That is so; and I draw a distinction between stallages and rents (which may be all classified as rents) and tolls, which are clearly recognised as a tax upon the commodities.

897. The tolls should go first?—The tolls should go first; and I should suggest that the time may come when there would be no toll whatever levied, and the only charge would be the charge for standing in the market.

898. But you have no wish that the amount of those rents, or whatever they are called, should be less than the expenditure incurred by the local body, plus the interest on capital, and plus a fair sinking fund, while that interest and sinking fund have to be paid?—Yes, that is my contention.

899. (*Sir Thomas Martineau.*) Then rent may disappear altogether, except as to management?—No, the rent would never disappear.

900. Except as to management?—The cost of management would ultimately be paid out of the rent; it is the extra charges for cost of management which would disappear.

901. (*Mr. Childers.*) The rents would disappear, except so much as was necessary to meet the cost of management?—I beg your pardon; I understood that the question was that rents would wholly disappear, and that only the cost of management would remain. I put it the other way: that rent should be the item always to remain, but that it should be devoted to paying the cost of management.

902. (*Sir Thomas Martineau.*) Supposing that the debt is paid off you would then only charge to the market dealers such rents as would pay the cost of management, with a reasonable margin?—That is so; but, of course, I do not want to be misunderstood as saying that the rent should only be fixed upon that basis, because then the rent might happen to be lower than rents for similar accommodation, say, for the same extent of land in another part of the town, and that I would not have. Rent is a thing which should be the same over the whole of the town, except, of course, as regards situation, and so on. The rent is a thing which will settle itself so long as free competition exists.

903. (*Mr. Childers.*) In that case you would have no objection to a profit being apparently made on the market account, and going to the reduction of the town charges, provided that it was out of rent bearing a fair proportion to the rents of the neighbouring premises?—Exactly, so long, of course, as there is

free competition; that is to say, they must provide fresh market accommodation as soon as it is needed.

904. (*Chairman.*) Can you state the provisions of the Weighing of Cattle Act of last session?—Roughly speaking, the enactment is that no tolls shall be taken in a market where no weighing machine is provided. There is apparently one shortcoming about the Act, and it is this: that if there is any market where tolls are not taken at present there is still no obligation to provide a weighing machine; that, for instance, if stallages and rents are the only charges taken, and the market is toll free, the owner of the market is not required to provide a weighing machine. Then there is another point in reference to that Act, and that is that it works in direct opposition to the present arrangements as regards settling the value of the market rights. Under this Act, of course, the market owners are desirous of depreciating the value of their tolls, so that they may be exempt from the provision as to weighing machines, and yet one would find so soon as the local authority desired to purchase these rights that the tolls would be held at their highest value.

905. There are cases, I believe, where tolls are taken in kind?—That is so.

906. Can you state any such cases?—I can, specially under charters. Many old charters gave the right to dip into sacks of corn and take out a certain quantity as the market toll. Those rights to some extent still exist, especially in the case of markets in the hands of private owners. But where the market is transferred to the local authority it is usual to substitute a fixed money payment in lieu of those charges.

907. I presume that where tolls are taken in kind the amount is fixed?—It is.

908. (*Mr. Little.*) Could you give us a particular instance of the sort of thing that is taken?—Helston, in Cornwall, I would cite as one case that I know of.

909. (*Sir Thomas Martineau.*) Is that a municipal borough?—It is. There their charter grants tolls in kind, and they have, I believe, substituted a money payment for them, because they found a difficulty in taking them.

910. (*Mr. Little.*) But could you tell us of one case where at the present time the toll is actually taken in kind, and what were the articles tolled, and what quantities were taken?—I am afraid that at the present time the instance of Helston does not hold good; but within a few years the toll was actually taken in kind in that market.

911. What were the articles sold?—Corn in particular.

912. Would butter be sold?—No.

913. Or eggs?—No, only corn; they usually mixed up all the corn they took, and sold it for what they could.

914. Did they take it with a dish, or with the hand?—Some of the charters that I have come across say that they may take as much as the hand will hold, and so on. Of course the amount might vary with the size of the hand.

915. (*Chairman.*) May we not assume that the custom of taking tolls in kind is obsolete, and is dying out of itself?—Yes, I think so.

916. Where money tolls are taken, are they fixed and definite in all cases?—No, they are not, especially in cases where the rights are in the hands of private owners. It is customary in such cases for toll takers to compromise with people, and take one toll from one man and another toll from another man; and I would instance the case of Chard. There there was a police court case where a man was prosecuted for refusing to pay the toll. The representative of the owner said that one shilling was the proper payment, but he was empowered to take a smaller amount if he liked. In this particular case he had, I think, demanded sixpence. There are many similar cases that I have come across. Chard is a borough, and it is mentioned on page 22 of the return. The tolls

were let, and it was the lessee and not the private owner that took these proceedings.

917. (*Mr. Little.*) Speaking of cases where the tolls are not fixed in amount, do you know of any cases where a larger toll is demanded from a man coming from outside that immediate neighbourhood than from a neighbour?—I do not think I can mention a case of the kind. I know generally that there are such cases.

918. (*Chairman.*) In the case you have mentioned where a toll was fixed at a shilling, but power was given to take less, I presume there is no power to take more than the amount legally fixed?—I do not think there would be, but of course where the toll taker is left in possession of such discretion, and the individual who has to pay the toll has no ready means of ascertaining what toll it is that he has to pay, he may very often be mulcted in more than the proper toll.

919. Do you contend that because the toll taker has a right to remit a part of the toll, where he thinks that there is reason for so doing, therefore he has a right to increase it arbitrarily?—I do not think he has the right certainly, but as a matter of fact I think he does so. In answer to the question that was just put to me whether there are cases where a greater toll is taken than that which is proper, I would say that I think there are many such cases.

920. I presume that in all such cases anyone resisting the toll would have his remedy in a court of law?—Yes, if it were a market to which the Markets and Fairs Clauses Act applies. Otherwise his only remedy would be to wait until the toll was sued for.

921. You have something, I believe, to say to us as to the statutory enactments bearing on tolls levied by local authorities?—By section 167 of the Public Health Act, local authorities who levy tolls are required to obtain the approval of the Local Government Board; and the lists of tolls are then required by the Markets and Fairs Clauses Act to be fixed up in a prominent position in the market-place.

922. Is that obligation enforced as a general rule?—As a general rule it is supposed to be enforced; but so far as my experience has gone in looking into the markets in any town that I have gone to, I have found that it is quite the exception for the list of tolls to be fixed up prominently in the market-place; and particularly where the market is held in the open street, or in the market-place, one very rarely, if ever, sees the list of tolls put up, and even if it is put up, the list of tolls that one does see does not tally with the tolls that are taken.

923. Can you give any instances of this?—I will take a case very near to London, the case of the market of the Bromley Local Board in Kent. I have myself been in that market, and I have seen the toll taker taking tolls; I have looked for the list of tolls, but I was unable to find any list of tolls fixed up in the market. The Hereford Corporation Market would be another instance. Watford would be another.

924. (*Mr. Charrington.*) Is the Bromley Market a local authority's market?—It is. Watford, I think, is a lord of the manor's market.

925. (*Chairman.*) Have you any other cases to give to the Commission?—Those are all that I could mention now, but there are a good many others.

926. Do the enactments which you have mentioned apply to markets belonging to private owners?—They do not.

927. How are the charges regulated in regard to such markets?—Generally by the terms of their charters, and by the custom of the manor.

928. (*Sir Thomas Martineau.*) What remedy would you propose for this breach of the statutory provisions?—That the tolls, stallages, and rents should not be payable unless the charge is clearly exhibited in the market, so that all may pay alike.

929. (*Chairman.*) Can you give us, speaking generally, any instances where the power of levying tolls when in the hands of local authorities has been abused?—I would point to one instance in the borough

of Chorley, in Lancashire, where they take tolls in the wholesale market on goods introduced into the market for sale by wholesale, and they make a rule that after the time comes for the closing of the wholesale market any goods remaining unsold by wholesale shall then pay another toll, although they still remain in the market, for sale by retail. In the discussion of this question it appeared that wholesale dealers who, for instance, brought in a waggon load of cabbages or other vegetables and found a portion of them unsold at a certain time, were in the habit rather than take them back again of selling the goods to the poor of the town for what they would fetch. It was urged that this was a serious hardship upon the stall holders and people who rented shops in the market, because their trade in cabbages was literally done away with, and the poor were able to get those things very cheap. Consequently it was attempted to fix a separate toll on the sale of those goods by retail, which would then bring the price to something about the same as the stall holders could sell at. The result was, of course, to deprive the poor of the town of the opportunity of getting food cheap when there was a glut in the market. Then there was another case. In Manchester the corporation take tolls from people who attend their markets, but they also take tolls from people outside of the markets, people who have nothing whatever to do with the market; and I have it in a letter here that the markets committee collect tolls in the streets outside the market, and, in fact, all over the town, from a number of old men and women who by selling coffee, herb beer, and cakes manage to eke out a living by supplying workpeople who have to go early to work with refreshment. That, I would urge, is an altogether illegal taking of the toll. Then again, at Market Drayton toll is charged on all vegetables, though there they are sold in the open street, and no accommodation is given. In Manchester, again, fish hawkers are fined for selling outside the market.

930. (*Chairman.*) Do you speak of these various practises as being illegal, or only as being in your opinion unjust? Has their legality ever been tested?—Not that I am aware of. But if it were a case of fixing tolls, of course the Local Government Board, who would deal with these tolls, would have no jurisdiction to go behind the statement of the local authority, that a certain toll should be fixed, and their approval would at once make the toll legal, although the imposition of that toll might be a hardship.

931. (*Mr. Little.*) But the Local Government Board are not bound to grant whatever toll is asked for by the local authority, are they?—No; but section 167 of the Public Health Act, which requires their approval to tolls, does not give them any direction as to the inquiry that they should make before approving a toll, and if on the face of it there was nothing to arouse their suspicion the toll would necessarily be approved.

932. (*Chairman.*) Are there any other powers, such as the making of byelaws, which have to your knowledge been abused?—Yes; the power of making byelaws is open to abuse in this way: that the local authorities impose unreasonable restrictions on the trade in the market, so as to compel people who do trade in the market to trade in such a way that they shall not, as the tradesmen would think, unfairly compete with the tradesmen.

933. Can you give any instances which will explain what you mean?—The instance that I would cite would be the cases of Chorley, and also of Warrington, where proposals were made to enact byelaws requiring the wholesale dealers to quit the wholesale market with their goods and then to sell them in the retail market. That was done, as I previously explained, obviously in the interests of the retail sellers.

934. Is it the practice to levy tolls on goods brought into the market for sale, or on goods sold?—It is usual to levy the tolls on the goods brought into the market for sale; but in some cases (and I would instance the market at Waltham Cross) the tolls are charged on the goods sold. In other cases the charters

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provide that the tolls shall be on the goods sold. But the usual custom is that the tolls are charged on the goods whether they are sold or not, so that goods brought into the market two or three times would have to pay two or three tolls.

935. Have you heard any complaints as to that practice?—Yes; I have heard frequent complaints of it, because the people who bring goods into the market complain that they have to pay the tolls whether they sell or not, and the toll is levied whether they actually take them into the market hall or market-place or not; in fact, it is an *octroi* due on bringing the goods into the town, and they actually pay it whether they sell them or not.

936. Is there anything to guide the local authority in fixing tolls?—Nothing whatever; there is no statutory provision bearing upon it.

937. There is no check whatever?—There is no check.

938. Is it the fact that a local authority can as a general rule make more by exercising the power of levying tolls than a private owner can?—They can, because of their statutory powers.

939. They have a greater power of enforcing their authority than any private owner would have?—That is so.

940. On that account is it within your observation that private owners have been willing to lease or sell their right of taking tolls to such local bodies?—Yes, it seems, so far as my observation has gone, that private owners are more desirous of leasing their rights to local authorities than they are of selling them.

941. Do you see any objection to that practice of leasing tolls?—Yes, I see one very serious objection. It is this. That a private owner may have market rights which enable him to hold a market on one day in a week; he then leases his rights to the local authority, but before the local authority can take those rights they have to comply with the terms of section 166 of the Public Health Act, which enables them practically to establish a market, and they can then make byelaws for fixing the days on which markets may be held. Having leased the market rights from the lord of the manor, they can then say that a market shall be held on every day in the week, and they can take tolls for every day of the week, and when the lease expires it would be difficult to say what then goes back to the lord of the manor. The market has been considerably increased in value, and the lord of the manor may find that at the end of the time he is in possession of a far more valuable property than he was in possession of at the beginning; and the local board may through their own action have to pay him either a higher rental or a very considerably enhanced price if they desire to purchase the rights.

942. (*Mr. Charrington.*) Have you known any instances where local authorities have leased a market from the lord of the manor and afterwards given it back to the lord of the manor?—Yes. In the case of Leigh, in Lancashire, the lease expired in October 1885. It was a lease that had run for 21 years, and the market rights were let for 15*l.* per annum. Lord Lilford, the owner of the market rights, now wants 1,500*l.* for his rights; that is a hundred years' purchase of the price at which, 21 years ago, the market rights had been let.

943. What have the local authorities done in that case?—They have been obliged to give the market up to him, because their lease had expired; but they have declined to renew it, and I believe that they are at present in negotiation with him as to the terms of the purchase. The income of the market under the management of the local board has increased. It was valued by the owner at 15*l.* when he leased it, it is now by this return shown to produce something like 100*l.*, and he now wants 1,500*l.* for his rights.

944. (*Chairman.*) Is that increase of value in consequence of its having been leased to the local

authority, or in consequence of the natural growth of the place?—I should say that it is owing to both causes.

945. Will you kindly state the terms of Section 13. of the Markets and Fairs Clauses Act, 1847?—That section provides that "After the market-place is open for public use, every person other than a licensed hawker who shall sell or expose for sale in any place within the prescribed limits, except in his own dwelling-place or shop, any articles in respect of which tolls are by the special Act authorised to be taken in the market, shall for every such offence be liable to a penalty not exceeding 40*s.*"

946. That enactment we understand is incorporated with the Public Health Act of 1875, and is in force in all urban districts; is not that so?—That is so.

947. Have there been prosecutions before justices under that section?—There have been very frequent prosecutions, and very frequent threats of prosecution. I would only instance two or three cases of it. One is Chard, where the market rights belong to the borough, and are leased to a certain person who farms them. This person found a man bringing a waggon load of potatoes to the co-operative stores and he demanded 6*d.* as the toll. The carter said that his master had told him to refuse payment, and he refused payment. Proceedings were then taken, and the magistrates, under the section which I have cited, convicted the man for not having paid the toll. In another town, Hanley (page 24), where the market rights belong to the corporation, they took proceedings against some licensed hawkers for unlawfully exposing fish for sale outside the limit of the public market contrary to the statute, toll being chargeable on this class of article. The men were convicted for that. In another case at Fleetwood (page 52), where the market rights belong to a private company (and I believe the Act under which the market is conducted is an enactment very similar to the one that I have just cited), they prohibit hawkers from hawking or selling anything in the street, so that the people cannot cry things from door to door.

948. Has any case been before the superior courts in consequence of those prosecutions?—There is one case, *Fearon v. Mitchell* (L.R. 7 Q.B., 696; 41 L.J., M.C., 170; 27 L.T., n.s., 33; 36 J.P., 804). In that case the point went before the superior courts, and it was held that a man was rightly convicted under that section for an offence similar to that which I have mentioned.

949. (*Mr. Little.*) That was for selling sheep and cattle in a hall within the limits of the market, was it not?—Yes; the man had had a market before the local board had established their market, and then he was convicted for carrying on his market after they had established theirs. It is rather a hard case, because he was there first, and it simply illustrates what I have previously said, that there are many markets which purport to be markets which are, as a matter of fact, not legally established markets at all. If it had been a legally established market they could not have convicted him.

950. In that case the man was not exacting tolls; the offence with which he was charged was selling to the detriment of the local board, which was the owner of a market?—Yes, under section 13. That is what these hawkers were doing.

951. The hardship upon the man was that he was not allowed to sell?—Yes; that is my point. The hardship is upon the man at Chard who took the potatoes to the co-operative stores, and the hawkers at Hanley, and upon this man who was prosecuted for selling outside the market.

952. (*Chairman.*) Is there any point in connexion with that case to which you wish to direct the attention of the Commission?—The point to which I wish to direct attention is this: that it seems to me on a very careful consideration of the terms of that section and of the Public Health Act, that it may be very properly contended that that section does not apply to markets held by local authorities under the Public

Health Act, for this reason. The section is one in an Act which was originally drafted with the intention that it should be incorporated in any private Market Act that was passed. I have looked up the parliamentary proceedings when the Markets and Fairs Clauses Act was passed, and I find that it passed through all its stages in both Houses of Parliament without one word of discussion. There seems to be no doubt that when the Act was drafted it was intended to be incorporate in special private Market Acts. Now the Act is incorporated with the Public Health Act, and for the purposes of the Markets and Fairs Clauses Act the expression "the special Act" shall be held to mean the Public Health Act. Section 13 of the Markets and Fairs Clauses Act which I have just read says that after a market is opened a person shall not "sell or expose for sale in any place within the prescribed limits, except in his own dwelling-place or shop, any articles in respect of which tolls are by the special Act authorised to be taken in the market." But the special Act does not authorise any tolls. As a rule, private Market Acts one finds contain schedules in which the whole of the tolls are set out, and there, of course, this arrangement properly applies. But the Public Health Act does not contain any schedule of tolls, and it may be very properly contended that tolls which are simply levied by a local authority who have obtained a market under the Public Health Act, cannot be called tolls authorised by the Public Health Act. That point is a point to which, so far as I can find, the attention of the superior courts has never been directed, and it seems to me that, at any rate from a legal point of view, that contention is one worthy of consideration.

953. That is a question to be raised in a court of law, I apprehend?—Certainly.

954. Have you any other instances to mention which point to abuse of the power of prohibiting sales elsewhere than in markets?—There is a market which was established under an Act passed in 1835 in the town of Neath, in Glamorganshire. That Act directs the establishment of a market, and enables tolls to be taken, and it sets out the tolls that are to be taken. The tolls have been leased to some man named Anthony, and he issues a notice, in which he says, "That any person or persons found breaking or evading the provisions of the Neath Market Act (5 & 6 Will. 4. c. 53.), the same being a public Act, by selling or exposing for sale on any market day, or on any other day on which the Neath Markets are open, any goods, wares, or merchandise in any place within the said borough other than the said markets or their own shops or premises, or wilfully allowing any other market or markets to be held anywhere within the said borough other than the existing markets, to the injury and prejudice of the undersigned, will be prosecuted with the utmost rigour of the law." His authority for saying that is section 30 of the Neath Market Act. That section justifies the paragraph that he publishes to the people trading in the town, but he omits one very important passage which occurs at the end of the section. The section says that the prohibitions which this Bill mentions shall be made "provided that nothing herein contained shall restrain or prohibit any person from selling fish, poultry, vegetables, eggs, butter, and fruit carried in hand-baskets from door to door within the said town." So that the inference from that is very clear, that people may carry without hindrance those goods from door to door in hand-baskets. But I have the authority of a person living in the town, who writes and tells me that people are not allowed to do that. People living outside of the town are, as a rule, not aware of this proviso in the Act, and the lessee of the tolls demands the toll from every person who brings these goods into the town to hawk from door to door just as though they were taken into the market; and this man who gives the notice carefully suppresses the fact that those people are entitled to exemption.

955. Then, on your statement, the charge which is made is an illegal charge?—That is what I contend.

956. (*Mr. Charrington.*) Has that case ever been before the magistrates with regard to this practice?—Not in that town as far as I am aware. But I contend that the charges are equally illegal in other places. For instance, in the Chard case that I mentioned the lessee of the tolls compromised the thing with the man; he said, "I will not prosecute you if you pay me 6d."

957. (*Mr. Little.*) Was not that the case where on appeal it was decided that the justices ought to have convicted?—Not at Chard. The man was convicted by the justices, and one frequently sees similar cases. I simply cite this case, but I have seen some scores.

958. How do you mean that it was illegal, if the man was convicted?—What I contend is that it was illegal to demand the toll. Supposing that this section applies, it would be right to convict the man, but it is not right to compromise the thing with him and take the toll from the people. Either the section wholly prohibits people from selling outside the market, and therefore they are liable to be convicted, or they may sell outside the market without being liable to pay any toll. Whereas one finds all over the country that the owners of markets, the local authorities, and the lessees are willing (and of course the people readily fall in with it) to take the toll and not to prosecute a man; so that under the threat of a prosecution they exact a toll, to which I contend they are not legally entitled.

959. (*Sir Thomas Martineau.*) But that question could be very easily raised, could it not, under the 39th section of the Markets and Fairs Clauses Act?—That section only refers to disputes.

960. There would be a dispute directly?—As a rule, of course, these people would rather pay the twopence than fight the question.

961. (*Mr. Little.*) I do not understand the application of that to the case of Chard, where the man refused to pay, and the case came before the magistrates and was decided against him. I cannot understand that being described until that decision was reversed as an illegal toll?—I do not describe the decision as illegal. The man was not prosecuted for not paying the toll, he was prosecuted for an offence under that section, for selling goods elsewhere than in the market. That is my point. The toll-owner says, "I will not prosecute you if you will pay me the sixpence."

962. (*Sir Thomas Martineau.*) Then it is a dispute about a toll, is it not?—It is a dispute, but I have never heard of any case having gone before the justices for settlement under section 39.

963. I could tell you of a good many?—There may be cases, undoubtedly, but my experience does not extend to them.

964. (*Chairman.*) I think you told us, in a former part of your evidence, that markets are occasionally held on days other than those for which the grants were originally made?—I did.

965. Are you prepared to give some instances of that?—Yes. The instance that I would now pointedly mention would be Ilkeston. There I find that the charter originally granted a market for Thursday, and the market was altered to what was a more convenient day to the town, Saturday. Then again, in the case of *Horner v. the Whitechapel Board of Works*, it came out very clearly, and the Court of Appeal held that the extension of the market to certain days, other than those originally mentioned in the charter, was illegal, and yet it is an admitted fact that the market has been held, and I believe is still held, on those days.

966. But I presume that is a question which could be settled in a court of law, is it not? If a market is held on a day on which there is no right of holding a market, any charge made for market rights upon that day, would be illegal, I apprehend?—It would, undoubtedly; but, of course, nobody who is simply called upon to pay 6d. or 1s. would think of running the

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risk of the tremendous law costs that would be involved in fighting such a question.

967. (*Mr. Little.*) What is practically the injury done to anyone by changing the market from an inconvenient to a convenient day; what damage does anyone sustain?—I do not contend that anyone sustains a damage; but I do contend that in the case of a man who had a market granted to him on a given day, if he does not want to hold it on that day his rights ought to cease, and if the public for their own convenience wish to have the market on another day, they ought to be at liberty to have the market on another day without paying him all the charges incident to the carrying on of the market.

968. (*Chairman.*) The market being an advantage to the person who has the right to claim toll, your contention is that he ought not to claim it, except on the days to which it was originally limited?—Exactly so.

969. Where markets are established under the Local Government or Public Health Acts, can the days be fixed by byelaw?—Yes, by byelaws made under section 42 of the Markets and Fairs Clauses Act.

970. Is there any objection to that practice?—Yes; one is the objection that I have already pointed out, where a local authority lease a market and then alter the days of the market. But another objection is where the local authority in their own interests, that is to say, in pursuance of their desire to make the market pay, as they call it, and get as much out of it as possible, make a byelaw, as they may do, saying that every day of the week shall be a market day. Consequently no one can bring goods into the town, as the farmers and the farmers' wives and daughters are accustomed to do in every provincial town, without either paying toll or going to the market.

971. Can they fix the days by byelaw, without any control from any authority?—No, the byelaw has to be confirmed by the Local Government Board.

972. I presume that as there is an appeal to the Local Government Board, if the neighbours on the local population objected, they would be heard?—Undoubtedly, they would be heard; but I doubt whether they could bring forward any sufficient reason why the local authority should not make a byelaw fixing every day in the week as a market day.

973. You have just said that a byelaw which provides that a market can be held on every day of the week may operate as a serious impediment to a certain class of traffic?—That is so.

974. Would not a person carrying on that traffic or anyone interested on their behalf have a *locus standi* in appealing to the Local Government Board against such a byelaw?—They undoubtedly would; but I doubt whether the Local Government Board could entertain that as a valid objection to a byelaw which, from all other points of view, was lawfully within their powers; and I know of cases in which the Local Government Board has confirmed byelaws making every day a market day.

975. (*Sir Thomas Martineau.*) Against the protest of any of the inhabitants?—No; I do not know of such a case as that.

976. (*Chairman.*) Are tolls on stallages ever taken on days when no market is being held?—Yes, I would mention the case of Yarmouth. There they have a charter conferring the right to hold a market on two days in the week, but they let people occupy standings every day in the week. Up to a few years ago those people paid no toll whatever and no stallage. Now stallages are taken from them.

977. (*Mr. Little.*) Are those stalls in the market?—In the market-place. It is merely in the open street; it is not in enclosed premises at all. It is a custom which I have come across in many other towns that where just a few people like to have a stall in the market-place throughout the whole week, although the market-place is part of the street, the local board or corporation take toll from them for placing the stall there, and it really amounts to their making a charge for allowing these persons to obstruct the highway.

978. (*Sir Thomas Martineau.*) Does your answer as to the highway apply to the market-place at Yarmouth?—I think it would apply in this way: that if the corporation as the road authority put down the paving and cleanse and repair the market-place then it is a street.

979. (*Mr. Little.*) Do you know the market-place at Yarmouth?—I do.

980. There is plenty of room for stalls there, is there not?—Yes, there is. I do not know whether or not the corporation claim in any other way than as being the road authority; I do not know whether they claim the right in the soil; but if they do then they ought not to repair the market-place in the same way as they repair the streets. That is as a matter of fact what they do.

981. (*Chairman.*) Have you any observation to offer as to the expediency and advisability of local authorities acquiring market rights?—Yes, I think it very desirable that no one other than the local authority should own market rights such as at present exist.

982. No new private markets are being created, are they?—Now and then, I think, they are. Occasionally a Private Market Act is passed, but in most cases it is for the purpose of the acquisition by a private company of rights which already existed in the hands of the lords of the manors.

983. A transfer in short of private rights from one hand to another, and not a creation of new private rights?—No, I do not know of any case where new market rights are created other than by statute, and by local authorities.

984. Do you suggest that local authorities should be invested with compulsory powers of purchase?—I do, because of the difficulty that local authorities now have in dealing with the owners of private market rights. There is no power to stand between the local authority who think that the market rights are valued at too high an amount and the owner who says that he will not sell unless they give him a certain price. I would point to the case of Newport (Monmouth) (page 18). There the market house and market rights were acquired by the corporation from the Duke of Beaufort for 16,500*l.* It appears from information that I have that the Duke had found some difficulty in gathering in all the tolls to which he believed himself entitled, and he made it a condition of the sale that the corporation should prohibit sales elsewhere than in the market; and this of course they had the power to do, but he had not. The Newport tolls when they were acquired by the corporation had been farmed out for 840*l.* a year to a person whose lease still had two and a half years to run. I have found that it frequently happens that the tolls are let out at very high rates in this way to private persons, and of course a private person has to levy every toll he can in order to make the thing remunerative to him. It is on this basis that the price of the tolls was calculated, and the Duke refused to sell except at the price he named, and that, I believe, was the price ultimately given. There is a note about it in column 9. My point is, that for such rights as these local authorities ought not to be left entirely at the mercy of the vendor. If they do not buy at a particular time then the rights go on increasing in value as the population of the town increases, that increase of value accruing through no effort whatever on the part of the owner of the market rights, and ultimately a far higher price has to be paid. I am very averse from the exercise of compulsory powers, as a rule; I do not think that compulsion is at all a desirable thing if it can be avoided; but one has seen many cases like the other case that I mentioned of Lord Lilford and the local board of Leigh, in Lancashire, where very high terms were demanded. In that case it was equivalent to a hundred years' purchase of the price at which the market had been originally leased; it had been leased at 15*l.* and he wanted 1,500*l.* for it. That was simply for the market rights and appa-

rently for no premises. My ground for urging that the power of compulsory purchase should be conferred upon local authorities is the excessive price that they have to pay for the acquisition of these rights by agreement.

985. (*Mr. Little.*) But you would not in this case think that any powers of compulsory purchase would enable the corporation to buy for less than 20 years' purchase?—Yes, I do. I do not think that these rights apart from any properties are worth 20 years' purchase.

986. (*Sir Thomas Martineau.*) They are let on lease, and they produce 840*l.* a year?—Yes, that is so. That 840*l.* is fixed by the competition among the toll farmers. There is a body of toll farmers in the country who get their living by farming out these rights.

987. But is not that an objection rather to the farming out of the rights than to this particular instance?—It is so. I shall deal with the objections to farming out rights hereafter.

988. (*Mr. Little.*) But you told us that the corporation could make more than the private individual, and the private individual makes 840*l.*; therefore, if the corporation can make more than 840*l.*, can you suppose that under any compulsory powers they would be able to purchase a thing which was of more value than its present rent for less than 20 years' purchase?—Perhaps not; but my objection is to the corporation making so much out of these things. It is by running up the tolls, and rents, and stallages very excessively, and by levying those tolls on sales which do not take place in the market, that all this income is derived.

989. (*Sir Thomas Martineau.*) That is another point?—Yes. My objection is that the rights are not worth what they are assessed at.

990. (*Chairman.*) Do you mean that they are not worth what they will fetch in the market?—I do not quite understand on what principle you estimate them?—My principle is this: that when they are put up for auction a man is told that he can make a lot of charges which I contend he ought not to be allowed to make.

991. Do you mean that they are not legal charges?—I will not commit myself wholly to the statement that they are not legal charges. I mean charges on sales outside the market.

992. You think them impolitic, and therefore if I follow your argument you say that the value of them ought not to be included in the compensation given?—That is my point.

993. Is not that rather making a public reform at the expense of private individuals?—No, because already the private individual is enabled, so to speak, to prey upon the community to an extent to which I contend he ought not to be allowed to; and that we should have to pay for the extinction of a thing which ought not to exist, is, I contend, wrong and indefensible. My point is that so far as no accommodation is given for the charges that are made, the charges ought not to exist. Then the price at which they are purchased is determined by the amount of charges which I contend ought not to be made.

994. Then, according to your argument, if I follow it accurately, there ought to be no compensation at all, because if the charges ought only to be sufficient to cover the necessary expenses of maintaining the market, there is no surplus of profit?—You are going back upon what I previously said, that the charges for the market ought to be confined to the cost of the management of the market. My answer in that case was limited to cases in which the markets get into the hands of the local authority. I am not objecting to the compensation of the owner of rights which have existed for centuries, which were originally given under charter, and which can be proved to have been properly granted and to be properly held now. But I contend that their value ought not to be calculated on the extreme limits to which those rights may be pushed.

995. You would not compensate a man for every legal right which he at present possesses; is that so?—No, I would compensate him for every right which he possesses now. But where he has pushed that legal right to such a limit that it has become an obvious hardship on the community, and he has pushed it also to the extent that it is verging on illegality, if not actually illegal, I would not compensate him for that portion of his charge.

996. I do not quite understand that expression about verging on illegality; a charge must be either legal or illegal. If it is illegal we admit that no compensation should be granted in regard to it; if it is legal you say that compensation should be granted, but only up to certain point?—Quite so; that is my argument. But I say that in the case of many charges that are made, for instance, if the charges are very high, or if the charges are made as tolls on the hawking of goods by, say, the farmer's daughters, who take the goods into the town to their known customers, then they amount to nothing more than a tax, an *octroi* due on the introduction of the goods into the town; and in respect of those charges I contend that very small compensation should be given.

997. Is not the first step to find out whether the charges are legal or not?—It is, undoubtedly.

998. If they are illegal we admit that no compensation is due; if they are legal, still you say that although legal, because they are inconvenient to other persons, the man who is obliged to sell them shall not get a value for them?—He shall get a value, but he shall not get an exorbitant value, such, for instance, as 20 years' purchase.

999. That is to say, that he shall not only be compelled to sell, but that he shall be compelled to sell at a lower value than he could obtain from a private purchaser; does it not come to that?—No, I do not say that, because I doubt whether any private purchaser would give that price.

1000. (*Sir Thomas Martineau.*) Is it not perfectly open to the local board or the corporation wishing to buy up market rights from an individual owner to take cases to test all the points which have any doubt about them, and is not that the proper course for them to take?—Yes; but if they pursue that course the owner will have the opportunity of saying, "Very well, if you are going to do that I shall not sell"; and it is that position that I object to.

1001. (*Chairman.*) Have you reason to think that the claim of the owner to his market right is not always strictly investigated in cases of purchase?—Yes, where it is found that an owner has been carrying on a market in a place, and he simply claims it by prescription, the local board, as a rule, especially if it is a small local board, have no opportunity, except at very great expense, of instituting any investigation, and, as a rule, they do not institute any investigation whatever, but they take it for granted that the man who is in possession of some rights is lawfully in possession; whereas, from what we have seen, it may be very clearly assumed, and even made out, that people frequently claim rights to which they are not at all entitled. On that point I would refer to one case, *Benjamin v. Andrews* (5 Common Bench, p. 299). In that case there was an action for assault and imprisonment of a man, and incidentally came up the question as to whether the market was legally established; and it turned out that the market was only a market *de facto*, and was not a market for which there was any legal authority. One of the judges in that case said: "It certainly is extremely hard that a hawker who has no means of knowing whether the market is rightfully held or not should be subject to the highly penal consequences imposed by this Act" (that is the *Hawkers' Act*), "because some person has chosen to exercise a right which the law does not give him." There the man was put to the test in a court of law to prove his market, and he could prove a market for some day in the week, but he could not prove a market for this particular day, which was a Saturday, I believe. The

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local authority who might be about to purchase the market rights of this owner would be called upon to pay a value calculated on tolls which were taken on this day when the owner, as a matter of fact, had no legal right to take tolls at all.

1002. Do not local authorities act under legal advice when they make purchases?—I am afraid they do not always.

1003. If they do not, ought they not to do so?—They ought to do so, certainly.

1004. And if cases occur in which they buy alleged legal rights which turn out to have no legal validity, is not that a failure of duty on their part, or an error on the part of their legal adviser?—It is, undoubtedly.

1005. Is it not an error which it was within their own power to have avoided?—It is.

1006. Have local authorities any right under the general law to hold fairs?—No, they have not.

1007. Do you know of any cases where they do hold fairs?—Yes, there are many cases. In fact, it is customary for local authorities when acquiring market rights to take over the fair rights also. It generally happens that the lease which they take conveys to them not only the markets but the fairs, and the fairs they have at present no legal right to hold.

1008. What is the difference between a market and a fair?—The difference, I believe, is this : that a market is held at very frequent intervals, generally at least once a week, whereas a fair is held at much greater intervals. A fair is, in fact, a market to all intents and purposes, but it is a greater market ; and one has generally found that fairs were granted to take place on religious feasts, whereas markets were not. A fair, you may take it, is a great market.

1009. Do you consider it desirable that local authorities should possess fair rights where they possess market rights?—Yes, I do.

1010. Would you give your reasons for that opinion?—My reasons are these : that it is extremely inconvenient that the frequent market, the market which is held every week, should be in the hands of one body, and that the greater market, which occurs at long intervals of time, should be in the hands of another body ; because it often happens that the fair is held on market days, and when it takes place it is nothing more or less than the enlargement of the market that would ordinarily occur at that time.

1011. (*Mr. Little.*) And it is actually held in the market-place, is it not?—Generally. Sometimes it is held on land a little way out of the town.

1012. And then there is difficulty that the local authority desiring to acquire market rights has no power to acquire fair rights, and therefore cannot make a bargain with the owner, who wants to dispose of both market and fair rights?—That is so.

1013. And they should have power to acquire both markets and fairs?—Yes, and, of course, if the owner said that he would sell his market rights, and give them his fair rights, still they have no power to accept and to manage the fairs.

1014. (*Chairman.*) Not even if the fair rights were voluntarily surrendered?—No.

1015. Do you know of any case in which market rights have been voluntarily surrendered?—Yes. In Gainsborough there was a very interesting case where the lord of the manor, Sir Hickman Bacon, proposed to transfer his market rights to the local authority for a certain consideration, and his terms were that they should pay him 100*l.* a year, which was the income from the market, for 30 years, and that after that they should pay him 2*s.* a year, and that the lease should be for 999 years. But he sought to limit them to the exercise of the power of taking stallages, rents, and piccages, and he desired to do this because in 1835 either he or his predecessor in the title had made a voluntary deed with the inhabitants of the town relinquishing his right to toll. Sir Hickman Bacon did not wish those rights revived, and he wanted it to

be thoroughly understood that the town should be toll free, but that the local authority should take stallages and rents. He endeavoured to get them to agree to these terms, but it turned out that they were desirous, so soon as they could get the rights, of reviving these tolls. This he objected to, and he took advice upon the subject, and he ascertained that if the powers got into the hands of the local authorities they could in pursuance of the Public Health Act revive those tolls. Consequently he has, I believe, up to the present declined to transfer his rights on the ground that he wants the town to remain toll free. Those particulars are set out in the "Gainsborough News" of March 5th last.

1016. I presume, under the system of compulsory purchase, that that security for the town remaining toll free would not continue, but the local authority would be able to buy?—They would, undoubtedly. But in suggesting compulsory purchase I have at the same time suggested other arrangements which practically amount to what this owner has brought about ; that is to say, the total extinction of toll, and the levying only of rents.

1017. One of the subjects on which this Commission is to report is as to the expediency of prohibiting the farming by local authorities of market tolls ; can you say to what extent such farming now exists?—The parliamentary return shows a very considerable number of cases where the tolls are leased to private persons ; and there are indications here, and I have been informed from other sources that there exists a body of persons who make a living by taking tolls on farm. They are experts in managing to collect tolls, and they go about from town to town to the different markets collecting the tolls ; and then so much as represents the difference between what they have to pay for their lease and what they can collect is their income. I have already read a notice which was issued by one toll farmer to indicate how he is prepared to punish people with the utmost rigour of the law for the sake of enforcing his rights. That is only one instance of what occurs practically over the whole country. My contention is that when these market rights are in the hands of local authorities, local authorities ought not to be permitted to farm them out in this way, because, assuming that the market is a source of revenue, a very serious objection to their doing that is that it is a means of extorting the greatest amount of tax from the people, and bringing the minimum amount into the local exchequer.

1018. The toll farmer has to make his profit, and naturally he is under no such restrictions and considerations of public policy as would weigh upon the local authority?—Exactly.

1019. I presume that your objection generally to the farming of tolls is that they are likely to be levied more severely and with less regard to public convenience than when they are in the hands of any public authority?—That is so.

1020. You have mentioned section 13 of the Markets and Fairs Clauses Act ; can you give any reason why the restrictions imposed by that Act should be removed so that sales might be free outside a market-place?—My principal reasons are that if goods are brought into a town by persons living out of the town, unless those persons avail themselves of the accommodation which the town affords by the provision of a market hall or by a market-place, they ought not to be called upon to pay any due whatever. As a matter of fact, section 13, as I have already said, is used as a sort of threat to extort from people a certain sum by way of due or toll for the mere bringing into the town and hawking goods from door to door, or even as in the Chard case the bringing into the town of a waggon load of potatoes and taking them to a co-operative store. I would urge that that is a very good reason why people should not be prevented from selling their goods wherever they choose in a town so as to give the people of the town the opportunity of getting food (and of course marketable commodities are mostly food) at the cheapest possible rate, and getting into as

direct communication with the producer as it is possible to bring them.

1021. You consider that the limitation of sale to the market-place alone has the effect of increasing the cost of whatever is sold to the consumer?—That is so.

1022. Are tolls, rents, and stallages regulated by the expenditure incident to the carrying on of the market?—They are not. As a rule, they are determined almost entirely by the will of the local authority for the time being; and so far as the powers are in the hands of private owners they are generally determined by custom, but very often by the limit one might say of extortion, that is to say, the limit to which the toll owner can go in getting some toll or stallage from the persons resorting to the market.

1023. Have you any suggestion to make as to the manner in which they should be regulated?—I have already mentioned the Select Committee of the House of Commons and the recommendations they made; but my suggestion now would be that no toll, rent, or stallage should be taken unless a clear statement of the amounts that are charged is put up in the market, and then it should be a condition that that statement shall have been submitted to and approved by some superior body, either a county authority or a department of the Government, and that the superior body should be directed in express terms what points they shall consider and take into account in making up their minds whether they will approve or reject any particular tolls.

1024. Should you apply the same principle to stallages and to rents?—I would apply the same principle to stallages as I would apply to rents; that is, that as I previously mentioned, it should be a condition that there is free competition.

1025. (*Mr. Little.*) I understand that you wish to put every owner of a market on proof of his title?—That is so; and not only as a foundation for the markets generally, but as a foundation for every claim that they make. For instance, if they claim a market three days a week they ought to be made to prove a market three days a week, and not simply to prove that they have a market on some day or other.

1026. (*Chairman.*) But should you say that in a case where the right to whatever it may be had been enjoyed for a very long time the burden of proof ought to be thrown on the person possessing the right or on the person who disputes it?—I would throw the burden of proof on the person who possesses the right to show that he possesses all that he claims. For instance, I have actually come across cases where

a man claims a right by prescription, and says that the market has existed from time immemorial. His notion of time immemorial when it comes to be looked into turns out to be that the market has existed as long as anybody who is now living can remember. That, of course, is not time immemorial from a strictly legal point of view.

1027. You are aware that what you propose is reversing the ordinary process?—Yes, I am; but, of course, here the person who owns market rights comes as a seller of a monopoly, and his title, I contend, should be investigated before the local authority should be required to give him the whole of the price that he asks, because it may turn out that he has no title whatever, and then his price is gone.

1028. Is not that a question for the purchaser, the local authority?—It is a question for them, but then if the owner says that he possesses the right and cannot prove it, they have no means of proving that he never did possess the right and never could have possessed it.

1029. Then do I correctly understand you that it is only in a case where the owner of market rights is wanting to dispose of them that you would call upon him to show proof that he possesses them?—I think so.

1030. Not in the case where he continues to exercise the rights and to hold them in his own hands?—No, but I would limit that to some extent in this way: that I contemplate compulsory power of purchase, and if this compulsory power is exercised, I would not contend that the owner should be put strictly to proof of his title, but that his having to submit to the compulsory power would, to some extent, be taken as compensation for not putting him to that proof.

1031. (*Sir Thomas Martineau.*) But I thought your wish was that he should make out his title to the fullest extent, even before a tribunal?—He should where he is proposing to sell it on his own terms; but where you propose to purchase I would assess his rights; and, of course, if the local authority have any serious doubts as to his rights, then if they can bring good reasons to show that he never possessed the rights, he ought to be compelled to prove his title.

1032. (*Chairman.*) But is not this question of legal procedure which had better be left to the courts of law to determine?—I am afraid it is difficult to see how the matter could come before the courts of law. One wants the proof of title before the transfer takes place.

The witness withdrew.

Adjourned.

At No. 32, Abingdon Street, Westminster.

SIXTH DAY.

Wednesday, 15th February 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. THE LORD BALFOUR OF BURLEIGH.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.

SIR JAMES PORTER CORRY, Bart., M.P.

SIR THOMAS MARTINEAU.

MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.

MR. JOHN J. HARWOOD.

MR. WILLIAM C. LITTLE.

MR. JAMES ALLANSON PICTON, M.P.

MR. T. BARCLAY COCKERTON, *Secretary.*

MR. WILLIAM AUGUSTUS CASSON further examined.

1033. (*Chairman.*) We understand that you wish to supplement the evidence which you have already given before the Commission?—Yes, that is so.

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1034. And I think you have something to tell us concerning the grievances of auctioneers engaged in selling cattle and other things in markets?—Yes.

Mr. William
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Casson, F.S.S.

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There is one case in particular that I would take as illustrating some general observations that I should like to make in reference to auctioneers. That case is at Lincoln. In other places I have found that there is a desire to treat auctioneers differently from other people. Auctioneers, of course, require a crowd of people to come and bid, and that, I believe, is the only reason; but it may be inferred that, perhaps, it is because auctioneers are not selling their own goods, but are acting as agents for other people and getting the highest prices they can for them. Now it is the practice in some towns to even prohibit sales by auction in the market altogether, or if they do not do that they restrict auction selling to a certain corner of the market, and then it is only possible for one, or at the most two or three privileged men to conduct sales by auction. The result is that the selling gets then into the hands of a few men, and the cattle dealers are not free to obtain the best price they can, but they are obliged to pay commission to these privileged auctioneers, and, of course, they lose a part of the profit that would naturally belong to them. At Lincoln I find that a charge is made of 10 guineas yearly to auctioneers, and it has been explained to me by a man who is interested in the business at Lincoln that this acts very harshly upon young beginners, because they already have to pay the statutory fee for carrying on the business of auctioneers, and in addition to that the corporation demand a further 10 guineas from them, and then the corporation further take all the tolls and stallages and other charges which would be levied upon other people, so that sales by auction are very much handicapped.

1035. Do you suppose the reason of that to be that sale by auction necessarily attracts a crowd, and therefore more space is occupied in the market, and it is thought fair that for that additional accommodation some charge should be made?—That is the only ground upon which I can believe that it is defended. I have here a document explaining the conditions on which the market tolls and charges at Lincoln would be let to any person. The lessee is instructed as to the tolls and various charges that he may make and demand; and then one of the clauses says that any auctioneer shall be allowed to sell by auction in the cattle market for a year on his paying to the corporation or their lessee any sum not exceeding 10 guineas, or for any period not exceeding one month on his paying the corporation any sum not exceeding one guinea, except only in the month of April, when the sum to be paid is not to exceed three guineas, the same sums respectively being for pens, standage ground, and extra accommodation afforded to such auctioneer in the market and market grounds. That is the way in which it appears in this document; but I am informed by an auctioneer concerned that, as a matter of fact, the auctioneers themselves get no additional accommodation. Then at Leeds a man informs me that the restrictions put upon auctioneers there have driven away a large portion of the trade, and have led to the establishment of sales at Bingley, Otley, Seacroft, Rothwell, and other places near by to which the cattle can be more readily sent, and where better prices can be obtained. Then at Hull they make a differential charge. There was a case that occurred at Hull in the spring of last year, where auctioneers, on bringing their cattle to the gates of the market, were refused admission unless they paid a toll of 10d. per head for the cattle. The market keeper said that private sellers could take their cattle in on the usual terms of 4d., but that the auctioneers would be excluded unless they paid 10d. That is to say, 6d. is levied upon the practice of selling by auction as compared with any other mode of sale.

1036. (*Lord Balfour of Burleigh.*) In answer to a question which was put to you by the Chairman as to whether auctioneers did not attract more crowd and occupy more space than other sellers, you said that that was the only ground on which the larger charge could be defended; do you not think that it is a reasonable ground, and that if selling by auction takes

up more space it is right that there should be a larger charge?—If the occupation of the additional space causes inconvenience in any way. Of course, one would say that if an auctioneer monopolised a large portion of ground which might be used for other purposes, then it might be reasonable to charge something for that accommodation. But inasmuch as the object of the market is to bring producers and consumers together, and to take as little as possible from them out of the transaction, I do not think that it is desirable to make this distinction.

1037. But if selling by auction takes up more space than selling in some other way, it would be natural, would it not, that a greater charge should be imposed upon it?—That is, if you will excuse my saying so, a rather plausible way of putting it, because the same people who gathered around the auctioneer, if they were not around him, would be occupying space in some other part of the market.

1038. But they would not necessarily be there all at the same time?—No; but that space would then be vacant.

1039. I do not want to argue the point with you, but surely a dozen people coming at intervals during an hour will take up less space and can do their business in less space than if they are all standing around one man at the same time, can they not?—Yes.

1040. With regards to the Leeds case, and the places to which you thought goods were driven by the extra charge to the auctioneers, you said at the same time that the cattle could be more readily sent there and better prices obtained for them; if that is so, would not that in itself be an explanation of the reason why cattle were sent there without supposing it to be the high charge made to the auctioneer?—I believe that one of the reasons is because the market at Leeds is somewhat inconveniently placed.

1041. Then it might not be exclusively on account of the extra impost upon auctioneers that the traffic was driven away from the market?—No; but the only alternative for auctioneers is either to pay this charge in the Leeds market or not to conduct their business in Leeds at all, because in Leeds it did happen that a certain firm, whose letter I have, set up an auction yard of their own in a convenient part of the town, and they received notice from the corporation that if they continued those sales they would be proceeded against. The result was that all their enterprise was put an end to, and the cattle sellers either had to take their cattle right across Leeds to the other market, the corporation market, which was not so convenient, or to take them to those other towns where there was no high charge.

1042. You will understand, of course, that I am entirely going upon your own statement, because I know nothing about the case except what you have said. You said in the same breath that in those other places better prices could be obtained; that being so, does it not seem reasonable to suppose that that would be an inducement to them to take the cattle to those other places?—Of course, I do not dispute that for a moment.

1043. In the case of Hull, where differential charges are made for cattle to be sold by auctioneers, have you satisfied yourself that that is not just one way of making a charge for the extra room which auctions take up?—Of course, it is a way of doing that, but I myself do not think that any difference of charge should be made according to the mode of selling.

1044. Not even if one mode takes more room than another?—No, I do not see really that it can be defended.

1045. (*Sir T. Martinsau.*) You said that these restrictions had driven away the cattle trade from Leeds to some extent, but I do not think you told us what the restrictions were at Leeds, will you tell us what they are?—The restrictions at Leeds were that people could only sell their cattle through the auctioneers in the Leeds cattle market, and that that market was in an inconvenient place.

1046. It is not an extra charge then for the auctioneer?—There is an extra charge, but that, of course, would only be one of the elements in the case.

1047. The main point is that the auction must take place in an inconvenient part of the town?—Yes.

1048. Is there any other restriction at Leeds that has led to the result which you mention?—Nothing that I know of.

1049. (*Mr. Little.*) When you say that the auction at Leeds is held in an inconvenient place, do you mean that it is in a different place from the other sales of cattle, or is it in the same market?—I believe it is in the same market, but it is in a remote part of the town.

1050. But the inconvenience is as great in the case of cattle not sold by auction as in the case of cattle sold by auction?—Yes.

1051. Do you happen to know whether the sale of stock by auction is increasing or not?—I think that generally the tendency is to sell by auction where that can be done.

1052. A very large proportion, and every year increasing proportion, is being sold by auction?—Yes, I think that is undoubted.

1053. (*Sir James Corry.*) You say that the auctioneers are looked upon as privileged men in England; do I rightly understand from you that any auctioneer is prohibited from paying the 10 guineas and coming to the market?—No; but it is very clear that there is only a certain volume of business to be done in the market, and if that is divided among 20 auctioneers they would not all get enough out of it to enable them to pay those 10 guineas; whereas if it is only divided among two or three they can afford to pay the 10 guineas.

1054. But the market authority does not prevent any auctioneer from paying the 10 guineas and having the same rights as any other man?—No, except indirectly it may happen that a man would see that it is not to his advantage to pay the 10 guineas, because the space to be allotted for sales by auction would be occupied by the men who had come there before he had, and he would not be able to get an opportunity of selling until an inconvenient part of the day, until the business was over. That is what happens in many towns I know.

1055. With reference to the differential rates that you spoke of at Hull, as I understand it 10*d.* is charged to those who are not regular dealers in the market?—No, 10*d.* for sale by auction. If a beast is to be sold by auction the toll is 10*d.*, if it is to be sold privately the toll is 4*d.*

1056. And you do not think that there should be any difference between the auction rate and the private sale rate?—No.

1057. (*Mr. Harwood.*) Is it your own opinion only that an auctioneer takes more space, and that on account of his taking more space he ought to be charged more money?—That is the only reason, and I gather that from what is said in the Lincoln paper.

1058. Have you been to any of the auctions in Cumberland, at Carlisle, Cockermouth, or any of those places?—I have not.

1059. You are aware that an auctioneer will sell as many cattle as 100 ordinary salesmen in the same time, and, therefore, no question whatever arises about his occupying more space?—Quite so.

1060. This is a positive attempt to prohibit sales by charging not for space but for the animal itself?—Yes.

1061. It is not a charge for space occupied but for an article sold?—It is on the article sold.

1062. One bullock is taxed 10*d.* and another 4*d.* on account of the two distinct men who are selling them?—Yes, that is so.

1063. (*Mr. Picton.*) Are we to understand that there is a desire on the part of the market authorities to discourage sales by auction?—I think that is evident.

1064. Can you suggest any reason for that?—I cannot suggest any reason.

1065. Does not the auctioneer, or the man for whom he is doing business, obtain an advantage by the concentration of buyers about his stand; are there not more buyers brought into immediate observation of his cattle than would be likely to be brought in the same space of time to any other collection of cattle?—I think so, and so far as my experience goes better prices are found to be obtained in sales by auction than in sales by any other way.

1066. Then there is a special advantage in that way; not only does the auctioneer occupy more space of ground, but more buyers are attracted, and it is worth more money altogether; is not that the case?—It may be.

1067. (*Mr. Harwood.*) Of course it is the custom in the case of sales by auction for persons not to come to the market, but to send their cattle to be sold; has it occurred to you that they get to know what the cattle fetch when they have been sold by auction, whereas when they are sold by private dealers they do not get to know the price, but that it is a secret?—Yes, I quite recognise that.

1068. The publicity is an advantage to the seller?—Decidedly. Perhaps I have not made myself quite clear. I am endeavouring to show that the auctioneer is really an advantage to the market, and that he ought not to be placed at a disadvantage as compared with dealers selling in any other way.

1069. (*Mr. Charrington.*) Are you aware whether that peculiarity belongs to many markets of the auctioneer paying more money than the salesman?—Yes, it is general.

1070. (*Mr. Childers.*) And it is an advantage, not only to the seller, but to the buyer, is it not?—Yes.

1071. (*Chairman.*) Now I understand that you have something to tell us in reference to what is known as "toll thorough;" will you explain what that is?—It exists only in a few places in England, and it really amounts to a duty on the goods that are taken into and brought out of any particular town. It is a very ancient toll.

1072. Do I correctly understand that it is, in fact, a tax upon goods brought into the town?—Yes, that is so.

1073. Whether they are sold in the market or not?—Yes, it has nothing to do with the market in the town. It is a tax which is precisely the same as the octroi in France and Italy.

1074. Are you aware of many places in which this custom prevails?—I know of three. First, there is the city of Newcastle; there the corporation accounts show that something like 5,000*l.* a year is derived from the "toll thorough dues," as they are called. Then at Carlisle I find that there was a report made by the town clerk which describes the existence of the toll at Carlisle, and in that report he says that "the city of Carlisle and its corporation are entitled to certain tolls or duties, the principal of which are the city gates or through toll payable in respect of goods and merchandise brought into or carried out of or through the ancient city as it existed previously to its boundaries being enlarged by the Municipal Reform Act of 1835; and the shire or county toll levied on horses, cattle, and sheep passing out of the county of Cumberland, which tolls have always formed a considerable portion of the revenue of the corporation." There was some litigation between the corporation and the railway companies, and from this it appeared that the railway companies entering Carlisle have to pay an annual sum as compensation to the corporation for loss of toll on goods entering the city. Various amounts were assigned to each railway company, and the total amount paid by the railway companies was 615*l.* a year. The tolls collected on goods entering or leaving the city by road amounted in 1886 to 1,465*l.*, and the cost of collection was 261*l.*, leaving the net amount of those tolls 1,203*l.*, which, added to the amount

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received from the railway companies, makes a total income of 1,818*l*.

1075. Is there anything to show how those tolls originated?—I believe they were granted by charter in each case. Then at Lancaster there were similar tolls, and they were known there as “passage tolls.” The Lancaster passage tolls had existed for some considerable time, and had been found to be a great inconvenience, and Mr. Williamson, the Member of Parliament, paid 1,500*l*. to extinguish those tolls, and they have now ceased to exist.

1076. (*Chairman.*) Market rights were, I believe, exercised by some of the unreformed municipal corporations until quite recently?—Yes, until those corporations were extinguished by the Act of 1883, by which it was enacted that such of them as did not receive new charters should cease to exist.

1077. Then they are done away with?—Yes; but one part of their property is market rights. In the Act, among the properties that they were found to be holding, market rights were included.

1078. Have you any suggestion to offer as to the mode of dealing with these market rights?—Yes. On page 101 of the return that was made to the House of Commons in June 1886 it appears that there is a market belonging to the old Corporation of Cowbridge. That corporation has ceased to exist, and the mode prescribed under the Act for dealing with such a place would be by the setting up of trustees under the Charity Commissioners. The point to which I wish to draw attention is this: that the market rights which, when they belonged to this corporation, were supposed to be held for the benefit of the inhabitants of the town would now go to a body of trustees, who would be managing these market rights for the purpose of obtaining the best revenue they could from them.

1079. For whose advantage?—For the advantage of whatever the scheme settled by the Charity Commissioners might be. Of course, one cannot say what the Charity Commissioners would direct, but it would be for that purpose.

1080. But for some public object?—For some public object. The Charity Commissioners have to manage these things, so that this would be an instance where the market rights would go from a corporate body which, although an unreformed corporation, was supposed to be holding these rights for the benefit of the town, to a body of trustees. That is contrary to the notion that market rights are best in the hands of local authorities elected by the inhabitants of the district. There are other cases besides that.

1081. You have already given some evidence as to abuses which are alleged to exist in connexion with the administration of particular markets; before we leave that part of the subject have you anything to add to what you have said?—I wish to add one or two things to the evidence that I gave on the previous occasion. There is this distinction between tolls and stallages: that tolls have to be approved by the Local Government Board and stallages have not. Tolls, therefore, when the scale has been approved are demanded according to the scale; but in the case of stallages the market authority can impose any charge they like, and as a matter of fact it is found in some cases that they take the greatest amount that they can possibly get. I have one case that tends to illustrate the hardship of that practice. At Grimsby there is a market once a week on the Saturday. The corporation will not allow people to sell except from stalls which they themselves set up, and they charge from 2*s*. to 2*s*. 6*d*. for the market day for the use of those stalls; and I am informed that it very often happens that people who take those stalls do not make sufficient profit even to pay this 2*s*. 6*d*. The result is that the number of people who can and do take the stalls is very small, and in fact much smaller than it would be if those who wished to sell in the market had an opportunity of doing so. Then again

at South Shields there is a practice which is certainly open to serious objection. They make a policeman the collector of stallages and tolls, and of course the policeman exercises an amount of authority over the poorer people in the market which, perhaps, an ordinary toll collector would not have. Then again at Gravesend, the way in which the market has been managed there has practically rendered it of very little use to the town. It seems, so far as one can gather, that the tradesmen had become very dissatisfied with the market because it competed with them. The result was that the way in which they managed the market brought about the gradual extinction of the market, and limited the number of people who took advantage of it. There was a recognised stallage which it was said that they took from holders of long standing and that was taken; but from new comers they took as much as they could possibly obtain. Then I found that where one man agreed to pay an extra toll he had a monopoly, and no other man was allowed to come into the market to carry on the same business as this man. That was at Gravesend. There was a general opposition on the part of the tradesmen to the market being used for vegetable produce and articles of food; and all those things taken together seem to have practically extinguished the market, and brought it down to such a point that it is of very little value.

1082. And you consider that that was done in the interest of the local tradesmen?—Yes, everything seems to show that.

1083. (*Lord Balfour of Burleigh.*) What you have just said about the Gravesend market would tend to shake our faith in the fitness of, at any rate, some local authorities to look after markets?—Yes.

1084. What do you suggest?—That is a point that I drew attention to before, that I think local authorities, if left unrestricted in their action, are not the best managers of markets.

1085. How would you set about restricting them in such points of management as you have suggested at Gravesend, because they seem to me to touch the very heart and centre of market management?—I have one or two suggestions which I think would cover that, and which, if you will excuse me, I will state hereafter.

1086. Then I pass from that. I did not quite understand the gravamen of your complaint about the 2*s*. 6*d*. charge at Grimsby. I understood you to say that the people who took the stalls could not make the 2*s*. 6*d*. profit?—Yes, this 2*s*. 6*d*. being charged for one day, one day's business would sometimes not bring them in sufficient to pay the 2*s*. 6*d*.

1087. There might be too many traders in one line of business?—Of course it might be from many reasons.

1088. But are you sure that that was not so, and that the 2*s*. 6*d*. was an unjust charge?—I am informed so by the sellers and the people in the market, by some who pay it and some who would sell in the market if the charges were lower.

1089. In fact the man who hires the stall and is practically one party to the bargain complains that the price is too high; what evidence in support of that did he supply you with?—The position is this: he must either take that stall or not sell in the market at all.

1090. But what evidence did he supply you with that 2*s*. 6*d*. was an unjust charge compared to the advantages which the market holder gives him?—The stall is a stall erected in the open street; and one might say from one's own experience that that charge is exceptionally high as compared with other places. The usual charge is nearer 6*d*. than 2*s*. 6*d*.

1091. That would raise a presumption that it is too high a charge?—Yes. I cannot do more than accept the men's statements that the charge is too high.

1092. The statement you have given us is a statement made *ex parte* to you and not in any way a cross-examined or questioned statement?—I have questioned it myself.

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1093. What questions did you put?—I have questioned it with a view of ascertaining whether the accommodation is not exceptional, and so on.

1094. Whom did you ask?—The people who informed me.

1095. But you have no means of verifying it except their own statements?—No.

1096. What questions did you put to them to find out whether the charge was excessive or not?—I rather asked for information as to the accommodation given, and then I used my own judgment as to the charge being excessive, because I know that as compared with other towns it is two or three times as much as the charges for such accommodation elsewhere.

1097. You did not address any inquiry to the people who took the charge to find what they had to say on their own behalf?—No, I did not.

1098. And, of course, the people who informed you, without accusing them of misrepresentation, would have an obvious interest in making out that they had a grievance?—They might, but the way in which they would put it is this: that if they can get a house and a shop for, perhaps, 8s. a week in the town, it certainly seems to be very unreasonable that for a stall, which consists of merely a few planks of wood stuck up in the market place, they should have to pay 2s. 6d. for one day.

1099. They would have an interest in making the best of their own case as we all should?—Of course.

1100. (*Mr. Charrington.*) Was it stated to you that the demand for these stalls is less than it otherwise would be in consequence of this high charge?—Yes, and that the people doing a small trade cannot afford to pay the stallage.

1101. (*Sir Thomas Martineau.*) Did I correctly understand you to say that the stallages were practically unlimited?—They are uncontrolled; that is to say there is no scale, nothing which fixes their amount. The amount that is receivable is the most that can be got.

1102. I suppose you are aware of the words at the end of the 36th section of the 10th Victoria, that the stallages, rents, and tolls must in no case exceed the amounts authorised by the special Act referring to the market?—That is so.

1103. Therefore wherever there is a special Act the stallages must be within the limits given by the Act?—Quite so; but I am dealing now with cases to which the Public Health Act applies; and that Act as incorporated in the Public Health Act of course has no schedule of the kind whatever; and, in fact, even in those cases where there is a local Act it is not customary to find a schedule fixing the stallages, or rather there are cases where it is not done.

1104. When there is no local Act the Public Health Act is the special Act, is it not?—Yes, that is so.

1105. And do we rightly understand that the special Act neither gives a scale nor provides means for giving a scale of the stallages?—That is so. There is no schedule of stallages in the Public Health Act, and there is no power under the Public Health Act for the central authority, say the Local Government Board, to approve of stallages that are settled by the local authority; their power of approval is confined only to tolls.

1106. Are the byelaws made under the Public Health Act?—Yes, for regulating the market.

1107. But you say that you would not go the length of providing a maximum scale of stallages?—No, certainly not.

1108. (*Sir James Corry.*) With reference to the duty that is levied in Newcastle, Carlisle, and Lancaster, I suppose that is under the control of the corporations of those places?—It is.

1109. And if those tolls did not exist they would have to raise the money in some other way?—I imagine so, certainly.

1110. (*Mr. Harwood.*) I suppose the toll levied upon cattle going through Carlisle is very much like

the duty levied on wine and coal coming into London?—It is exactly the same.

1111. The persons who levy the toll do nothing for the public, and they do nothing for the person who buys or sells?—The money goes, so far as I can gather, in reduction of the rates.

1112. Can you tell us how many square yards these people occupy with a stall for which you say 2s. 6d. is paid, because we allow people in Manchester to occupy a yard for 6d. for six days?—They occupy a frontage of 8 to 10 feet.

1113. What is the width?—That I have not got.

1114. Could they sell in the street if they did not go into the market?—No, they could not.

1115. So that they compel them either to go into the market or starve?—Yes, that is the alternative.

1116. If a man has not enough money to take a shop he must either perish or go to the parish for relief, or he must go to this market and work for nothing?—Yes.

1117. (*Mr. Childers.*) How are these thorough tolls physically levied, are there barriers at the entrances to Carlisle and the other places where these tolls exist?—Yes, I understand so. I have not myself been there, but there seem to be toll gates.

1118. Like old turnpike gates?—Yes.

1119. And an establishment like an octroi establishment in France?—Yes, just the same.

1120. At each of the entrances of the city?—Yes.

1121. Could you name any other places besides Carlisle and Newcastle where they exist?—They did exist at Lancaster. I do not know of any other places.

1122-3. (*Mr. Little.*) Is there not one at Cambridge?—I do not know that.

1124. (*Mr. Childers.*) Is there not one at Worcester?—I do not know.

1125. Is the weighing apparatus kept at those entrances where the toll is levied by weight?—That I do not know.

1126. The cattle are weighed, I suppose?—I am not aware of that. I should like to have had an opportunity of personally investigating some of these cases, but I could not get to Carlisle.

1127. But we have practically in a limited number of towns the continental octroi system?—Yes, we have.

1128. (*Mr. Picton.*) When an elected town council is the market authority, have not the burgesses the remedy in their own hands if there is an overcharge for market stalls?—They have theoretically; but in answer to a somewhat similar question when I was previously examined, I think I told his Lordship that, in my opinion, no election would, as a rule, turn on such a point as this.

1129. That is to say, people do not take sufficient interest in it?—If they do they do not see the drift of it, because they are led away mostly by the idea that after all the market is good for the town, inasmuch as it brings in so many hundreds a year, which go in reduction of taxation, and I explained before my objection to that.

1130. Do you consider that those tolls which are taken in Cowbridge, and which go to the body of trustees, are, properly speaking, market tolls at all?—Yes, they are market tolls; it is a market.

1131. Are they only levied on market days or every day?—They are levied, I suppose, only on market days.

1132. Can you tell us when the corporation ceased to exist?—I cannot give the exact date, but I think it was in March 1886. There was a statutory limit. Those corporations that did not get new charters ceased to exist upon a prescribed day.

1133. Were trustees appointed under statute?—They would be appointed by the Charity Commissioners.

1134. (*Chairman.*) Have you any evidence tending to show that local authorities are misled or mistaken as to the principles which should guide them in fixing tolls and regulating markets?—This rather bears

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upon the question that I last answered. The local authorities undoubtedly endeavour to make the largest profit they can out of these markets, and whatever profit they make goes in reduction of the rates. There again the markets are administered, as a rule, not with a view to the interests of the consumers in the town, but too often with a view to the interests of middlemen, such as tradesmen of the town; and the smaller the town the more likely is this influence to be paramount. I have met with a large number of cases where this is clearly seen to be the case, but I have one example here that will well illustrate it. It is an address from a man named Holmshaw, who seems to have taken a great interest in the local movement for markets, to the ratepayers of Brigg. In that address reference is made to the proposal to have a market. The ratepayers are told in this address that if a market is set up there is a reasonable prospect of reducing the rates 6d. in the £ in the course of a few years. Then in another part of the address this gentleman says that he does not wish to stop traders from coming to the market as had been imputed to him, but he says that he certainly does think that traders who attend, and some of them regularly, and who may possibly do better than some of the townspeople of the town, should pay their quota towards the rates of the town in a more direct way. That argument is one which I have very frequently met with. It is contended that the market should not be open to persons producing outside the town, strangers not living in the district, unless they are prepared to pay something as an equivalent to the rates and taxes which the townspeople pay. Of course I should meet that by saying that these people although they produced their commodities in some outlying districts would have already paid their own rates and taxes in the place of production.

1135. You do not consider, in short, that market tolls should be manipulated in such a way as to give an advantage to the tradesmen or residents in the town?—That is so.

1136. And I think I gathered from your previous evidence that the view you take is that market tolls should not be levied with a view to make the markets pay a return but only to cover expenses?—That is so.

1137. Have you anything to say in addition to what you have already told us as to the interference with hawking in the streets?—Yes; I wish to mention one or two points by way of emphasizing the fact that street sellers are, as a rule, very much handicapped; and this is especially the case where the tolls are in the hands of lessees, and not in the hands of either the original owner or the local authority. There is a case which did not come under my own observation, but which I found recorded in a Cardiff newspaper—a case of a widow with five children. By dint of working from early morning till late at night they managed to live; but every day that she and her children went out to sell they had to pay 2d. to the toll lessee, making a total of 10d., there being five of them. This the woman represented amounted very often to one sixth of the total united takings of herself and her children. Of course the way that one would look at it is this: that either hawking in the streets is wrong, and it is a nuisance to the community, and should be entirely put down, or that it should be permitted; that the mere fact that this 2d. per head is taken from these people does not make it less a nuisance, if it is already a nuisance; and the amount, when it goes in reduction of the rates, is so trivial as compared with the hardship that it imposes upon the individuals that it appears to me to be a matter that ought to be taken very serious notice of, because if these people are permitted to earn a livelihood in this way they have their mode of living seriously interfered with; and the tendency is to throw them wholly upon the rates instead of letting them live on, self-supporting. Then there is the case of Rochdale, which I daresay has been before the Commission. At Rochdale the Market Act which

empowers a private company to hold markets authorises the total prohibition of hawking. But there the market company takes some very high charges from the hawkers with a view of granting them the privilege of continuing to hawk. There was a good deal of local excitement, I believe, over it, but the market company is still master of the situation, and hawking is practically prohibited in that town. Then in the case of Dorchester, I have a ticket showing that the borough levy a charge of 6d. authorising a man to hawk and sell from a truck on one day. The man has to pay 6d. a day for the privilege of hawking his goods about. One would simply point out that such sums as those form a very large proportion of the takings of these hawkers; and the general complaint which I find the hawkers have to make is that they have a very great difficulty indeed in paying such a charge, and it is clear that they get no accommodation whatever in return.

1138. I suppose we may take it that these charges are imposed for the purpose of discouraging the practice of hawking without absolutely prohibiting it?—I do not think that is the reason. I think it is because the hawking of goods in the town is regarded as an interference with the market. That, I believe, is at the bottom of it; they think that if the people do not sell their goods in the market, and pay the rents and stallages and tolls there, then they ought to pay something else for the privilege of going about the town and selling. I have other similar tickets showing the different charges that are made.

1139. (*Mr. Childers.*) The hawkers are, of course, licensed hawkers?—Certainly; so that they have that license, whatever it is, to pay for in addition.

1140. (*Lord Balfour of Burleigh.*) I do not quite follow your alternative that either hawking is a nuisance to be put down or that it should be freely permitted; do you not think that it is a question of degree, that a moderate amount of hawking can be permitted for the convenience of people, but that absolute free dealing might be a great nuisance, and that this charge, leaving aside the question whether it is excessive or not in any particular case, is a reasonable way of limiting without prohibiting?—But that aspect of the case is supposed to be already settled when the hawkers are licensed. The statute under which hawkers are licensed apparently contemplates that only people of good character should be licensed, and I take it that it is only such people who get licenses. When once they are licensed I do not think it right that any other authority should step in and endeavour artificially to limit them, because if this charge of 6d. has the effect of limiting the number of hawkers, then you find that there are some people who have been licensed by one authority and who are not allowed to conduct their business because they cannot pay this toll to another authority.

1141. Of course, knowing the rules, they would be careful not to take the license from one authority without being assured of the terms upon which they could exercise their trade in any given place?—Perhaps they would not.

1142. With regard to the question of markets paying their expenses, you do admit, as I gather from what you have said, that it is right that the markets should pay their expenses?—Yes, certainly.

1143. Supposing that the ratepayers invested a sum of money, either in the purchase of market rights or in the erection of covered in buildings in which markets are to be conducted, I understand from your answers that you would limit the takings to absolutely what would pay for that, and nothing more?—And provide a sinking fund.

1144. Would you allow no margin for possible risk?—Only a safe margin.

1145. Therefore the question of the fairness of a charge depends not upon the abstract amount of the charge altogether, but upon whether the total receipts are or are not a fair return upon the money risked?—That is so.

1146. (*Mr. Little.*) You said that the hawkers in Rochdale were charged by a private company; how did that private company acquire the right of charging?—They have it under a private Act.

1147. It is specifically given?—Yes.

1148. (*Mr. Harwood.*) This question of hawking is an important question. These hawkers pay for a hawking license in the first instance?—Yes.

1149. And in the next place you say that the authorities do not provide anything for them, and do not do anything for them, and that doing nothing and providing nothing for them the authorities are not entitled to take anything from them; but that in the particular case which you have mentioned they charge them 6d. per day for going through the streets, and say that inasmuch as they are selling food in the town they have a right to levy some tax upon them in the interest of the ratepayers?—Yes.

1150. And you say that hawking properly conducted, and proper persons being licensed to hawk, will enable many poor families to get a livelihood in an honest way when they would become chargeable to the parish if they were not permitted to do so?—Yes.

1151. (*Mr. Maclean.*) At Dorchester, how do they collect the 6d.; are there barriers, or is there an office to which the hawkers go?—I do not know, but I should rather judge that the man goes about the town and collects the money from these people as he comes across them. They dare not sell without first having obtained this ticket, and if they do not meet him, then I suppose they have to go in search of him or go to his office. I do not know exactly how it is done.

1152. (*Mr. Pictor.*) To whom do you think the injury is done by what you consider the excessive stallage charges; is it to the consumer or to the seller; does it raise the price of things sold in the market?—In some ways it will. I do not propose to contend that any proportion of these charges that may represent rent for accommodation given would enter into the cost of production. But so far as the charges by way of tolls are restrictive of the trade they may enhance, and undoubtedly do enhance, the price of the article, and that being done, of course the consumer is the loser.

1153. (*Chairman.*) Can you point out any other ways in which markets are or may be so managed as to be restrictive of trade?—I have a document here which is a précis of some evidence that was brought before the Manchester Corporation some six years ago, and in that it appears that the charges which have been levied in the Manchester markets were so high as compared with the charges in other towns as to restrict the trade going into Manchester and to drive it to other centres, and I find this principally in the case of a foreign fruit salesman. He stated that there were many occasions when the consignee would not complain if he only realised for profit what his toll charges in Manchester amounted to. The principal shippers from foreign ports have found that the Manchester charges are the highest in the kingdom, and have sent their goods, or a portion of them, to other large towns, such as Liverpool, Leeds, Bradford, Sheffield, Birmingham, and other places where they find that it is to their advantage to send. He quotes a letter that he had received from one shipper who said that he had instructions not to ship any more goods to Manchester as prices were so small, and the expenses so much higher than elsewhere, "but I will send you this small lot, hoping it will be satisfactory." Then another man stated that the Manchester charges were so excessive that they found great difficulty in competing with other towns; and in order that the mayor and city council might understand how these charges affect the trade in Manchester, he said he had gathered information from other towns and he found that they compared favourably with Manchester. I only cited that as illustrating the point which I had raised. Then, again, to revert to a point that I mentioned in my

former evidence, where a distinction is made between a wholesale and a retail market, I find complaints from Bolton, where the wholesale market is kept open up to a certain hour in the day, and then all things must be cleared away. The council of the town have been frequently petitioned to have an open market but they have refused, and the ground that seems to have been stated is that it will injure the retail traders who have rented stalls in the retail market. It seems to be pretty clear that the restricted hours of the opening of the wholesale market, and the driving of the trade through these middlemen in the retail market, prevents a great deal of produce from coming into this market at all.

1154. Can you explain how markets may be or are managed so as to restrict the production of vegetables and fruit in agricultural districts?—I find that the practice of allowing stall-holders, and persons who rent the little shops and standings in markets, to be regarded as the proper persons to sell in a market tends to a very great extent to prevent small producers in agricultural districts outside urban districts from bringing their goods into the market. It seems to be pretty generally the case that farmers and people with small plots of land on which they grow things, persons who keep fowls and other kinds of poultry, would readily resort to the market if they could only see a reasonable chance of doing their business without losing anything and of making a fair profit; but it too often happens that their only alternative is either not to go into the market with their goods, or if they do go into the town, to sell their goods to the shopkeepers in the town; and so the interests of the consumers are prejudiced by their having really to pay for the thing passing through more hands than it need. I am firmly convinced that the cultivation, say, of produce such as would be grown on allotments and things produced by small cultivation generally would be carried on to a much greater extent than at present if these restrictions on sale in markets did not exist.

1155. We understand that you are prepared with some information relative to the markets at Sheffield?—The markets at Sheffield belong to the Duke of Norfolk, and I have ascertained that some years ago the corporation wanted to purchase the markets, and opened negotiations with that object. They offered a sum of 260,000*l.*, and this it was understood the Duke would accept. But afterwards the Duke demanded 4 per cent. interest on the money for the time over which the repayment extended; the corporation offered only 3 per cent., and the negotiations consequently fell through. That is a case which I would urge illustrates the contention which I brought forward in giving my former evidence, that some account ought to be taken of the nature of market rights (that is their indefensible character when in the hands of private individuals), when estimating their purchase price, so that the present owners may not be as absolute masters of the situation as they seem to be at present.

1156. Can you cite any case showing how market charges have increased during a period of years?—I have met with a great number of cases where it is clear that the charges have very considerably increased during the last generation, notwithstanding the well-known fact that prices during the same period seem to have very generally gone down. At Ilkeston I find that 20 years ago 1½*d.* a week was paid for a standing in the market. The local authority put down gas in the market, whereupon this charge was raised from 1½*d.* to 3*d.* The charge was 3*d.* in the summer, when presumably no gas was used, and 6*d.* in the winter when gas was used. Then the local board having acquired the market made a still further increase of a few pence, and at present the charges, of course with the additional accommodation of gas, are 1*s.* for that which 20 years ago was only charged 1½*d.* for.

1157. But as I understand additional accommodation in the way of lighting has been given?—That is so.

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1158. Therefore there is a *quid pro quo*?—Up to a certain point.

1159. (*Lord Balfour of Burleigh.*) Is that the only *quid pro quo*?—Apparently it is.

1160. Why do you say “apparently”? Do you know that it is so?—I think it is so. There may be such a thing as sweeping or cleansing, or something of that kind.

1161. But there is no additional building accommodation?—There is none.

1162. You are sure of that?—I am certain of that.

1163. (*Chairman.*) I now ask you generally whether you have any suggestions to offer either as to legislation which may be necessary or desirable on the subject of market tolls or on the regulation of markets?—I would conclude with a few suggestions as to the mode in which I think these matters should be dealt with generally. I would suggest that all markets should be declared to be open for certain specified classes of produce. By that I mean articles of food and what are known as marketable commodities generally, of course to the exclusion of such things as articles of foreign produce which might very properly be sold in shops. Then further, I would urge that tolls which at present exist, so far as they represent a duty, so to speak, upon the commodity sold, should be allowed to be continued only so long as may be necessary to extinguish the capital charge on the markets. Then after this extinction which I contemplate, the only charges to be made should be in the nature of rents or stallages in return for accommodation given. These I would suggest should be according to a scale to be approved by some superior authority; and in fixing them regard should be had to the cost of managing the market, and no profit should be made beyond any accidental surplus or safe margin that may be necessary to cover the risk of the enterprise. I contend that these charges should not be in the nature of rackrents, but that where there is a great demand for space, additional accommodation should be given; and I would suggest the application of the principle that is contained in the Allotments Act of last year. That Act contemplates that whatever may be the demand for allotments the rent of the allotment shall be what is defined as a reasonable rent, and shall be as near as possible the rent of agricultural land in the neighbourhood. So in the case of these markets, I would contend that the charge to be levied should be rent and nothing else. Then I would urge that all charges, such as these tolls on hawking goods and any other charges of a similar kind, which are levied outside of the market should be forbidden; and further, that people should not be prohibited from selling elsewhere than in the market if they found it to their advantage to do so; so that instead of having a monopoly in the hands of the market authority you will have a market really existing only for the benefit of the town.

1164. You said that you would allow people to sell outside of the market as much as they please?—Yes.

1165–6. Would you allow them to set up a rival market in private hands?—Yes, I would, for this reason: that I think that if the market of the local authority were conducted in the way that I suggest it should be conducted it would not be profitable to anyone else to set up a market in the town; and that is the condition that I want to bring about. Then as to markets generally, I would suggest that it should be enacted that in every town of, say, 5,000 inhabitants and upwards there should necessarily be a market, and that market should be open to all who come on payment of the charges for accommodation which I have previously referred to. The local authority should provide this market either by setting apart a market place, if they have one, in the public street, or if they have not, if they can conveniently provide private land they should do that. Then I would urge that in any action which the local authority may take in regard to a market, by making a

regulation concerning it, any decision that they may come to may be appealed against to some superior authority other than a court of law. Of course there is a provision in the Markets and Fairs Clauses Act which enables disputes to be settled by a magistrate; but there are other questions than mere disputes over a toll. There is often the arbitrary exercise of power by the market inspectors, and so on. But these people do not know what their remedy is, and they have no appeal to any superior body that knows the whole technicalities of the matter. I would suggest that as regards byelaw power of regulating the markets that should be extended even more fully than it exists at present, so as to give the local authority ample power to control their market; but in doing this some indication should be given of the limit to which byelaws may go. I have had great official experience in the matter of local authorities' byelaws, and I find that it is a most common notion throughout the country that a byelaw can be made on pretty well any subject; and local authorities seek to make byelaws on many subjects that ought not to be dealt with by byelaws.

1167. That has a wider application, I apprehend, than to the case of markets; you would propose generally to restrict the power of local authorities to make byelaws?—I am not going beyond markets. I am only confining my remarks to markets. What I want to urge is, that in the Act that authorises the making of byelaws some indication should be given which will enable the confirming authority to say that a certain proposed byelaw is contrary to the intention of the Act.

1168. If I understand you aright, you propose that the establishment of a market should be compulsory in every borough of more than a certain size?—Yes.

1169. But in all such boroughs the local authority is now popularly elected, is not that so?—Yes.

1170. That being so, do you not think that it may be left to inhabitants themselves to determine whether they want a market or not?—Of course, one may say that where charter rights exist the inhabitants have no alternative. Where a charter has in ancient times been granted the inhabitants have no alternative as to whether they will have a market or not; there is a market there whether they like it or not, and one frequently finds complaints made as to the existence of those markets which are in private hands, and the complaint is generally grounded on the fact that the market interferes with the business of the town, and brings a lot of rabble into the town, or that showmen come in with vans, and that shooting galleries, and things of that sort which have nothing to do with markets are set up and really do become a nuisance. But I want to urge that a market for the sale of produce, things produced in the country around the town, should necessarily exist in the town, so that the producers can know that they have a right as against the governing body of the town to come in and sell to the inhabitants.

1171. Does it not come to this, that you would force the market on the local population whether they want one or not?—Whether the majority want it or not I would, certainly; because one may be sure that it is to the advantage of a large minority of the consumers. You may have a large minority of the consumers in favour of it, and you may have a majority of people who are not poor, and are content to order in their goods from stores and shops and so on; but it is an obvious advantage to provide some means by which the poor consumers and the producers from the outlying districts can come together.

1172. If they do not want a market you think they ought to want it?—Yes.

1173. And therefore you would make its establishment compulsory?—Yes, I would.

1174. (*Mr. Charrington.*) Would not a great many small places object to it on the ground of expense?—I suggest that they should set apart a street or market place in their town.

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1175. (*Lord Balfour of Burleigh.*) Why should the majority who want a market rule the minority who do not want it, and yet the majority who do not want a market not be allowed to rule the minority who do?—It is all a question of area. You have got the area of the town which does not extend beyond a certain limit, and those are the people who have the power of voting, yes or no. But if you go beyond that and bring in the people who want to sell goods, then I anticipate that you would easily get a majority.

1176. You mean if you could carve your district so as always to get a majority on your own side you would like the majority to rule?—The larger the district the more there would be in favour of a market.

1177. If the majority who want a market may rule a minority who do not want it, why should a majority who do not want a market be deprived of the legitimate rights of a majority?—Because I do not think that a thing of this kind is a matter that should be left to local option. I do not myself believe in local option in such a matter as this.

1178. (*Mr. Charrington.*) You think that people ought to be ordered to take what is good for them whether they will or not?—It is simply the opportunity of bringing together producer and consumer, and I think that the general opinion of the country at large would be that it is desirable that means should be provided for bringing together the agricultural producer who, as we know, is very much handicapped at present, and the town consumer; and I do not think that the ratepayers in the towns should have a right of veto on such a point as that.

1179. (*Chairman.*) You would propose that markets should be established for the benefit of the producers outside the towns?—It is for the benefit of the consumer.

1180. But in that case should not the consumer outside, or the consumer wherever he may be, contribute some part of the expense; why is it all to be thrown upon the local residents?—I do not anticipate that this should be done so as to throw the expense upon the residents.

1181. (*Lord Balfour of Burleigh.*) Do you wish to compel all towns to build a market, or will you be satisfied with an open space?—An open space is all I want.

1182. You would not oblige the town authorities to spend money upon building?—No; and I would say that the income that is derived, supposing that any surplus income is derived from the conduct of this open space as a market, may be accumulated and in time may provide a fund for the acquisition of a building. I do not want any charge to be thrown upon the rates.

1183. You said, did you not, at the commencement of your answers on this head that all markets for certain specified articles, of food particularly, should be at once declared open?—I do not think I used the word "open." What I meant was this, that all markets should be declared to be markets for the sale of certain specified commodities.

1184. All markets?—The market in every district. I do not mean, for instance, that you should say that a horse market should be a market for straw; but I mean that it shall be said that the markets in a particular district, taken as a whole, if there be more than one market in a place, shall be markets to which persons wishing to sell particular commodities may resort.

1185. I, perhaps, misunderstood your answer, but I understood you to say (and I shall be glad to be corrected if I am wrong) that articles of food stood in a different category from other articles, and that upon the sale of them and for the sale of them no charge should be made?—I do not remember saying that.

1186. You quoted the precedent of the Allotments Act of last session, and argued that, following the same lines, you would desire that market authorities

should be bound to make extensions to their markets if they were required rather than charge very high rents; do you think the analogy quite fair, because allotments can be got over a considerable district, whereas the extension of a market must be in the almost immediately surrounding property?—It need not. There is nothing more common than to find markets in different parts of a town.

1187. Then you did not mean the extension of the market, but the building of another market, so as to give additional space?—I used the word "market" in a general sense, to include the whole of the markets in a particular town.

1188. But supposing that there was only one market, the word "extension" would then be ambiguous in the answer that you gave just now; you would not mean necessarily the physical extension of the market, but an extension of market facilities?—Quite so.

1189. In regard to the appeal to some other tribunal than a court of law, do I correctly understand that you would permit that appeal upon legal questions or only upon questions of fact or principle? What sort of questions would you refer to this amateur tribunal?—I do not regard it as an amateur tribunal, because you may take the Local Government Board at the present time, which exercises a judicial function in deciding appeals against disallowances in local authorities' accounts, and a person has the right of appeal either to that Board or to the Court of Queen's Bench.

1190. I understood you to urge that questions between man and man as to relative rights and obligations should be referred to this tribunal as to a sort of court of arbitration?—No; questions between the individual and the local authority.

1191. Even if they were questions of law?—Even if they were questions of law within certain limits.

1192. Within what limits?—One could not very well determine the limits now.

1193. Would you give us some help as to what you mean, because the suggestion is yours?—If it were alleged that any act done by the local authority was contrary to the intention or spirits or words of the Acts of Parliament governing the markets, or if it were alleged that the local authority had omitted to do anything which the Acts governing the markets directed to be done, then appeals should be possible to some central authority.

1194. Would not the words that you have just used cover appeals upon questions which are essentially questions of law as between one man and another or between one body and another, or between the individual and the corporation?—Yes, they would; and I intend them to do that.

1195. Why do you think that the legal tribunals are unfit to decide these questions?—I do not think they are unfit, but it is bringing into operation a costly machinery when you can get a cheaper and as efficient machinery for the purpose. To illustrate my point, I would urge that the power of appeal given under the Public Health Act to the Local Government Board in cases where a local authority has not complied with some duty which is imposed upon it should be held to cover cases relating to markets.

1196. But I understood your recommendation to go further than that, and that the intention and wording of statutes was to be brought into discussion?—Quite so, something omitted to be done which the Act contemplates, or something done which was not according to the intention and wording of the statute.

1197. Surely that would be a legal question, would it not?—But these legal questions are determined by departments of the Government to a very considerable extent. I have not the Public Health Act with me, but I could emphasize what I say by references to that Act.

1198. You would, I suppose, admit as a general principle that it is undesirable that questions which are questions of law should be decided by tribunals

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which are not essentially legal in their constitution?—As a general principle, of course, as regards any question of law which involves a dispute, that is so; but questions of law which do not involve a dispute are to a very great extent determined by departments of the Government now.

1199. Then it is to make corporations discharge their obvious legal obligations that you would have this new tribunal or Government department, and not in any way to determine what are the obligations which you wish to have discharged?—Quite so.

1200. (*Sir Thomas Martineau.*) I think you said that if a corporation or local authority held market rights you would allow any other body to set up a market free, or with any tolls that might be imposed?—Yes.

1201. Then supposing that Sheffield, for instance, had bought the market rights at a cost of 260,000*l.*, would you allow another body to set up a market, a body wholly free from any such burden as that?—No, not until all the capital charge on that market had been extinguished and we had arrived at the stage that I suggest, when only charges for rent are made.

1202. Then the rival market is not to be set up until the charge is practically paid off?—Yes, that is so.

1203. (*Mr. Little.*) Do you think that there is any proved necessity for compelling towns to establish markets?—I do, when I remember the discussions that I have read in the different places where it has been proposed to establish a market. There have been many proposals to establish a market under section 166 of the Public Health Act, and those proposals have not been carried out because it has been urged that it would be no good to the town, and that it would destroy the trade of the shopkeepers, and various arguments of the same kind; and I have seen some scores of reports of that sort of cases.

1204. You are referring to something more than boroughs; I understood you to make this recommendation with regard to boroughs above a certain population?—Towns.

1205. (*Mr. Harwood.*) As I understand the contention which you make, it is this: that provided there be no burdens upon the market; that is to say, no redemption of purchase money to be made, if that market is well conducted, no successful rival could be set up by anybody?—Yes, that is so.

1206. So that if a town or any local authority took a piece of vacant land, and they conducted their market in a sensible way and with proper care, nobody could come and set up a rival market?—No.

1207. And that no authority should be able to tax food in any way unless they gave some equivalent for that taxation in the shape of accommodation of some kind; that is to say, it may be in the form of a piece of land, or it may be a covered building, but whatever accommodation they gave they should only be able to tax the food that comes into the market to the extent that may be necessary to reimburse themselves for the outlay and the cost of management, and other natural expenses?—Yes, that is so practically.

1208. (*Mr. Maclean.*) Your primary suggestion, as I understand it, was that markets, at any rate as regards food, should be made open?—I did use the word “open,” but not in the sense of their being free and open to all comers.

1209. In what sense did you use it?—I meant that a market should be declared to be a market for certain classes of produce to be specified, so that all persons

might come to the market to sell their goods. My object in suggesting that was to prevent what has occurred in some cases, to prevent the local authority from saying that this shall be a market for meat, poultry, and vegetable produce, and from saying if a man brought fruit, “Oh, you cannot bring fruit into this market”; I want fruit to be included.

1210. (*Lord Balfour of Burleigh.*) Or fish?—Or fish.

1211. (*Mr. Maclean.*) Then supposing that there is any market existing in any town for the sale of any of these articles, which is a private market, that private owner would have to be compensated?—Yes, his rights would have to be acquired.

1212. Acquired as you suggest by the local authority?—Yes, certainly.

1213. That would be done by raising, I suppose upon the rates, an amount which would be sufficient to buy off the private owner?—Yes, certainly; but I have suggested that the repayments should not be from the rates. It might happen that the rates would be mortgaged, or it might happen that the market property was sufficient itself to take this mortgage. If the rates were mortgaged I do not think that any charge should fall upon the rates, but that so long as the capital charges remain unextinguished, the income from the markets should be devoted to paying them off.

1214. So I understand. You suggest, I think, that the toll should only be continued for so long a time as was sufficient to pay off the capital charges?—Yes.

1215. The result of that would be, would it not, that present toll-payers, if I may use the expression, would be paying those charges off for the benefit of posterity?—Yes, that would be so.

1216. So that the present toll-payers would have to pay a great deal more than they would supposing that the capital had not to be paid off within a certain number of years?—I would not raise the tolls; I do not think that the tolls would bear raising.

1217. Do you think that that would be popular among the present toll-payers?—I do not think it would make any difference to them. They have the alternative of seeing the tolls extinguished 20 years hence, or of paying them for ever.

1218. One other question as to this suggested new tribunal for settling disputes. I understood your last answer to the noble Lord opposite to be this: that you did not suggest any new tribunal except for the purpose of obliging the local authorities to carry their powers, or so forth, into effect?—Yes.

1219. Not to decide questions of law between two what I may call ordinary litigants? You do not suggest any improvement upon the ordinary tribunals of the land for that purpose?—No.

1220. (*Mr. Picton.*) I think you are of opinion that one of the benefits arising from your suggestions, if they were carried out, would be that farmers and small producers would bring in their own produce for sale by themselves in the markets?—Yes.

1221. Do you know of any facts that would go to confirm that; do you know of any cases in which, owing to special market facilities, the little farmers and allotment holders do bring in their produce for sale?—I do know of cases, but off-hand I could not mention them now.

1222. It seemed to me a very important suggestion, and I should have liked to have facts to support it?—I am not prepared at the moment to mention them.

The witness withdrew.

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Mr. NATHANIEL STEPHENS examined.

1223. (*Chairman.*) Are you the clerk and superintendent of the London Central Meat and Poultry and Provision Markets?—I am.

1224. And are you instructed by the corporation to attend before this Commission?—I have been so instructed.

1225. How long have you been holding these offices of clerk and superintendent?—I was appointed at the time of the construction of the meat market previous to the opening of it in 1868; and on the completion of the poultry market that was also put under my charge in 1875.

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1226. By whom were you appointed?—By the Corporation of London.

1227. By the common council?—Yes.

1228. Where are the markets situated?—In Smith-field.

1229. What is the area of the markets?—The meat market is 631 feet long by 246 feet wide, giving a superficial area of 155,226 feet, which is equal to 3a. 2r. 10p. 44ft. This is not all available for market purposes, as there is a public right of way through the centre and the various market avenues, and in this area is included that right of way, and also the avenues of the market. The shop space allotted for the trade is about 102,880 feet. The poultry market, which was opened seven years subsequently, is 263 feet long by the same width as the meat market, 246 feet, and that gives an area of 64,698 superficial feet, or in land measure 1a. 1r. 37p. 175ft. The proportion of shop room is 35,302 feet.

1230. (*Mr. Charrington.*) You have lately opened a fish market there, have you not?—Yes.

1231. Is that included in those dimensions?—No, I have no control over the fish market. There is nothing included in my return in reference to the fish market.

1232. (*Chairman.*) Will you describe the nature of the markets and the manner in which the business is conducted?—The tenants in these markets are chiefly commission salesmen and carcase butchers. The former, as the names implies, receive the goods and sell them on commission for the benefit of the sender. The carcase butchers, who are fewer in number, buy and slaughter the cattle and bring them to their own shops in the market to sell. There are other tenants who buy from both these parties, either the commission salesmen or the carcase butcher; and they cut up the meat and sell it for the special purposes of the retail trade.

1233. (*Mr. Charrington.*) Are there no retailers strictly so-called there?—No, there are no retail shops whatever.

1234. (*Chairman.*) Can you give us the total tonnage of the provisions brought into the market at different periods?—We commenced in 1869, which was the first complete year that the meat market was open. We opened in December 1868, but for the purpose of comparison I take 1869 as a complete year, when the tonnage was 127,991 tons. In 1874 it was 157,629 tons; in 1879 it was 212,988 tons; in 1884 it was 230,873 tons; in 1887 it was 259,384 tons.

1235. So that there has been a steady and continuous increase?—Yes, from the first.

1236. What per-centage of increase on the last five years does this show?—As I said before, taking the first year, which is the year 1869, as the datum or basis, 1883 would show an increase of 74 per cent. upon the tonnage; 1884 of 80 per cent.; 1885 of 90 per cent.; 1886 of 96 per cent.; and 1887 of 102 per cent.

1237. That is to say, it has more than doubled in 18 years?—In 18 years it has rather more than doubled.

1238. What are the tolls charged?—The toll is one uniform toll upon all that comes in of a farthing on every 21 lbs. weight. We weigh the goods in.

1239. What are the rentals and what do they include?—The rental throughout the whole of the market for all the shops is a weekly rental, collected every week, and it amounts in the meat market to 667*l.* 2*s.* 4*d.* per week, and this is equal to 1.556*d.* per foot super of the area of the shop floor.

1240. In round numbers 1½*d.*?—Yes; a small fraction over 1½*d.*

1241. Now, will you give us the same figures in the case of the poultry market?—In the case of the poultry market the shops with a few extra vaults produce 296*l.* 2*s.* 4*d.* per week, and the rental there is an even 2*d.* per foot super on the area of the shop floor. In the meat market the charge includes the use of the shop with a floor above it extending over a portion of the premises, and containing a room, and a lavatory, and

watercloset. It also includes the use and maintenance (the corporation maintaining and repairing) of the meat rails and hooks, the gas fittings, desk, and other office fittings, and the supply of water. In the pork, poultry, and provision market, there is also a basement provided and included in the 2*d.* per foot. The corporation also repair and cleanse the entire buildings, and provide all the water required for the lavatories and the urinals, and places round the market for public use.

1242. Are you able to tell us in what ratio the tolls stand to the prices of the commodities sold in the markets?—I am. Some two or three months since I had the question brought under my attention, and I took considerable pains to get an estimate of what value the parties best qualified to judge put upon the goods. Having obtained that opinion from about a dozen of the most competent persons I took the average of the amounts, and I find that it comes very nearly to the sum named by the majority of them, which was 5½*d.* per lb. That is the average price that all the commodities coming within those two markets make in the trade.

1243. (*Mr. Maclean.*) Is that simply for the meat market?—No, that is the two markets, which would include the meat with its offal, and the poultry, with pork, provisions, butter, and eggs. We have no means of subdividing it, because we weigh it in bulk in the waggons, and we cannot tell what is in the hampers.

1244. (*Chairman.*) I understand that the value as you put it is 9*s.* 2½*d.* for every 21 lbs.?—It is. I have taken 21 lbs., because that is the datum upon which the authorised toll of a farthing is charged.

1245. I see that you bring it out that the farthing amounts to ¼th of the value of the goods?—Yes; 5½*d.* per lb. on 21 lbs. is equal to 9*s.* 2½*d.*, and the toll charged is equal to ¼th part of that, or .002267 upon the value of the goods.

1246. What additional charge does the rental impose upon the goods sold?—The maximum rental of the markets is equal to 50,088*l.* 2*s.* 8*d.* for 52 weeks, and the weight of the goods brought into the markets during the 52 weeks of last year was 256,031 tons 1 quarter.

1247. That gives a charge of how much?—Of .44 of 1*d.* upon every 21 lbs. of these goods. That added to the farthing, which I have stated before as being the toll, gives .69*d.*, or approximately ⅓th of 1*d.*, for every 21 lbs. weight. That includes the rent, rates, taxes, toll, water supply, public lighting, repairs, supervision, cleansing, and the accommodation named before.

1248. That would be 1*d.* upon every 30 lbs. weight?—As nearly as possible. Perhaps I may be allowed to show you on the plan of the market the public roadway that I have referred to (*describing the plan*). In constructing the new market, the corporation adopted a different plan and built it in blocks, which gives better access for business and better frontage and is more convenient, and to my mind a great improvement.

1249. You take ⅓th of 1*d.* upon 9*s.* 2½*d.* the value of 21 lbs.?—Yes; and that makes the rental and toll together equal to ⅓th or .006369 of the value of the goods.

1250. Is that the rental alone?—No; the rental and toll together are equal to ⅓th of the value of the goods, taking them at the estimated value of 5½*d.* per lb.

1251. Have you any official returns as to the prices?—No; that is not within my province.

1252. How did you arrive at the figures that you have given us?—From the accounts that I keep of the revenue derived from the market for the corporation of London. I make an annual return to them in the shape of a report, which I have also consulted, and I have those reports with me. I did not know whether they would be required.

1253. From whence are these supplies for the markets drawn?—From nearly all parts of the world,

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from all parts of the United Kingdom; France, Spain, Italy, Germany, Belgium, Holland, Austria, Prussia, Poland, Denmark, North and South America, the Falkland Islands, Australia, and New Zealand.

1254. Can you give any details as to the growth of the colonial meat trade at these markets?—Yes; from the sources that I mentioned before. In 1876 was the first importation of American meat into the market, when we had 5,513 tons. In 1881 it had grown to 27,439 tons, in 1886 to 30,214 tons, and in 1887 there was a falling off; it fell back to 24,364 tons.

1255. With regard to the Australian and New Zealand dead meat, what was the import in the year 1881?—That was the first year that we had it; it was 565 tons only. In 1884 it was 11,128 tons. In 1887 it was 15,107 tons, which is the highest quantity that we have attained to.

1256. What districts are supplied from the markets?—The whole of the metropolis and surrounding places, and many of the provincial towns, extending into the northern counties of England, are in part supplied, especially university towns and places of seaside and summer resort; and the inferior meat goes to the shipping ports for the sailors.

1257. The markets, I presume, are wholesale?—Yes, except on Saturday. In the after part of Saturday afternoon and evening there is a rather considerable retail trade carried on, and only then.

1258. Can you explain why the retail trade is confined to Saturday afternoons?—It is because the working classes are largely supplied then. They get their wages on that day; they are at liberty and they come there and stroll about the market and buy pretty largely; and it also affords an opportunity to clear up in the market itself.

1259. They buy their Sunday dinner, I suppose?—Yes.

1260. What are the market days?—Daily, except Sundays.

1261. Which are the busiest days?—Those vary. In the summer time the trade shifts somewhat from what it is in the winter. I have made an abstract from the books showing the daily averages during the past year, and I find that during the cold season from January to March, and also from October to December, on Monday the average weight delivered was 922 tons; on Tuesday, 681 tons; on Wednesday, 793 tons; on Thursday, 907 tons; on Friday, 1,388 tons; and on Saturday, 486 tons. In the hot season, which would be six months, between April and September inclusive; on the Monday we only got 656 tons; on Tuesday, 622 tons; on Wednesday, 612 tons; on Thursday, 731 tons; on Friday, 1,206 tons; and on Saturday, 772 tons, showing that the trade is thrown on to Saturday ready for Sunday.

1262. Can you explain why the amount of business done is so much greater on Friday than on any other day?—Because they are providing for the Saturday's and Sunday's trade. A man is glad to buy all he can on the Friday, so as to be at liberty to attend to his shop on the Saturday; of course he has a double demand then.

1263. (Mr. Charrington.) We hear that a great deal of fish is spoilt at Billingsgate; is much meat spoilt at the meat market?—A very small proportion indeed. Two or three times in our career portions of cargoes of American meat have been seized, but at other times a very small quantity has been spoilt.

1264. (Chairman.) Have you had any complaints with reference to the markets?—None. Our committee meet monthly, and it is their business to attend to all matters that crop up.

1265. If there had been complaints you would have heard of them?—Undoubtedly I should have heard of them.

1266. (Lord Balfour of Burleigh.) Are your sales conducted by auction or by salesmen?—By salesmen entirely.

1267. Have you ever done anything to discourage sales by auction?—They have never been adopted.

1268. It has never been suggested?—No.

1269. It does not suit the trade?—No. It is used in the fish trade, but not in our trade.

1270. You have given us some large figures as to the increase of trade; can you give us any figures as to the relative proportion between the money that you draw and the money that you expend upon the market, including interest upon capital?—No, that is not within my province; that would be within the office of the Chamberlain of London. I merely pay my money into the corporation account.

1271. (Mr. Little.) You said that you have three classes of occupants and tenants; can you tell us how many of them are commission salesmen and how many are carcase butchers, and how many are dealers?—I should think that three fifths or three fourths would be commission men; in fact nearly every man would get a little commission, although his business would not be essentially a commission business, because he would be open to receive as many goods as he could get.

1272. It is very largely commission business?—Very largely.

1273. You have shown us that there has been a large increase in the colonial and foreign meat trade; has there been an equal increase in the home consignments, or has the increase been in the imports?—The increase in the home consignments would not be so heavy in proportion as the increase upon the growing colonial trade.

1274. But the increase has not been entirely in the foreign and colonial trade?—No, because in 18 years we have more than doubled the gross weight of the first year, which was 127,000 tons, whereas the entire increase in the quantity of colonial meat would probably only give us an increase of 30,000 tons.

1275. Is the trade developing in the direction of supplying more distant towns?—Yes, I think so; and I think that has grown since we have had the American and colonial meat.

1276. There is a return of prices furnished to the Board of Trade and to the corporation, is there not?—Not to the corporation.

1277. Is it furnished to the Board of Trade?—I am not aware that it is; I know of no one making it. I have heard of its being supplied to the papers by one or two parties privately, but I have never heard of an official return. If there had been such a return it would probably have been in my hands to get it out.

1278. I remember asking something about it from Mr. Goldney, and I was under the impression that you would be able to give us information about it; you do not know of any such return?—No, I have never heard of it.

1279. Then if any return of the kind is quoted, it is not one that you have anything to do with?—No.

1280. And not an official one?—No; I have brought with me a plan of the blocks showing the buildings (*producing a plan*).

1281. (Mr. Maclean.) Is there any fish market at Smithfield?—Yes, that further block (*pointing it out*) represents the fish market. This is the meat market, and that is the poultry market, and that is the present fish market (*pointing them out*), which is to be turned into a vegetable market in place of that at present held in Farringdon Street.

1282. But in any observations that you have been good enough to make, you have not referred at all to the fish market?—No, I have nothing whatever to do with the fish market.

1283. How long has that been open?—About five years, I think.

1284. (Sir James Corry.) Have you sufficient accommodation for the increasing trade?—We have at present. Of course you will gather from my evidence that while the supplies have increased 100 per cent. the area devoted to the purposes of trade has only increased about 30 or 32 per cent., so that we are more closely packed than we were at first.

1285. Have you ever inquiries from commission agents or others for increased accommodation that

you cannot supply?—There is always a sharp competition when there is any space available.

1286. But you are able to accommodate up to the present time all who come?—I cannot say all who come, because many very petty men have applied who would probably only come and take it for a week or two; but the corporation exercise a discretion and select the more respectable people.

1287. Then we cannot say that every one who applies is accommodated?—No, we cannot do so. There are some shops round the fish market which have been made available for the purposes of the trade attaching to these markets, and they are being filled up gradually by those who apply now.

1288. Do you anticipate a considerable increase in this foreign meat trade?—I see no reason why it should not go on increasing, because every year they get better means of bringing it, and we have cold storage for receiving it. Under the poultry market there is a cold air store with room to store about 80,000 sheep.

1289. Is it fitted with refrigerators?—Yes, the air is condensed.

1290. How is the meat conveyed from the ship to you?—It is conveyed in vans from the ships into the store and brought up as the market requires it, or sent into the provinces direct from there.

The witness withdrew.

Mr. GEORGE PHILCOX examined.

1296. (*Chairman.*) Are you the clerk and superintendent of the Foreign Cattle Market at Deptford?—I am.

1297. And I believe you are here by the instructions of the corporation?—Yes, to give you all the information that I am able.

1298. How long have you held your present office of clerk and superintendent?—During the period of the construction of the market, and from its opening on the 1st of January 1872, 16 years.

1299. By whom are you appointed?—By the Markets Committee of the Corporation of London.

1300. Where is the market situated?—In Deptford, in the county of Kent.

1301. What is its area?—About 30 acres.

1302. Will you describe the nature of the market and the manner in which the business is carried on?—The market was constructed under the Contagious Diseases (Animals) Act, 1869, for the sale and slaughter of animals imported into the port of London from scheduled countries. The scheduled countries are those in which disease is known or suspected to exist. Animals from such countries must be slaughtered at the port of landing. The Foreign Cattle Market, Deptford, is the landing place for slaughter for the port of London. No foreign animal is allowed to leave the market alive, and all animals must be slaughtered within 10 days, exclusive of the day of landing. They are consigned to commission salesmen (of whom there are a large number), and they sell the animals alive. The sales take place by private contract, not by auction. The persons who purchase them, viz., wholesale and retail butchers, have in most instances a slaughter-house on the premises, for which they pay a yearly rental, and they slaughter their cattle at any time during the 10 days allowed by law, as they may require them for the purposes of their business. The butchers retain the whole of the offal of their animals. This offal includes what is known as the fifth quarter, viz., head and tongue, heart, liver, tripe, tail, feet, fat, and hide. The manure is collected and disinfected by the market authority, and that at a loss to them. It must be borne in mind with regard to the market that the Privy Council have power to vary the number of countries scheduled, and an omission of a country from the schedule might at any time cause a serious diminution in the trade of the market.

1291. But I presume that sometimes you have a lot of meat in the market, and it takes some time to work it off?—No; we have never a heavy glut. The telegraph enables the supply to be regulated very quickly.

1292. Does that apply to the supply from foreign parts?—Not to that coming from foreign parts. When a cargo of 30,000 sheep comes, it goes into that store or into another one on the other side; so that probably during the time that those 30,000 are delivering into the store we get none of them in the market. We may, perhaps, have 15,000 frozen sheep in the course of a week; that would be about the quantity.

1293. Is there any private accommodation for cargoes of that kind?—Yes; that is a private matter. The vaults are merely let by the corporation to tenants, but there is also another on the north side of the market held by Messrs. Bell, of Glasgow, agents for the American trade, and they have room for 20,000 sheep.

1294. Do they fit up their own refrigerators?—Yes. Messrs. Bell are the patentees of the process.

1295. The trade seems to have been decreasing. Last year you had less from America, and a larger quantity from Australia and New Zealand?—Yes, that is so.

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1303. The more countries there are scheduled, of course the more business there is in the market?—That would be so.

1304. Are you able to give us the total tonnage of animals brought into the market during the last year?—I am not able to give you the tonnage. I can give you the number of animals brought into the market each year from its opening.

1305. That was in January 1872?—Yes. In that year there were 38,129 cattle, 817 calves, 124,508 sheep, and 173 swine.

1306. Then will you take five years later, take the year 1877; what was done in that year?—There were 47,255 cattle, 19,442 calves, 701,723 sheep, and 9,806 swine.

1307. Now going on five years further, what was the number in 1882?—105,964 cattle, 21,638 calves, 778,775 sheep, and 11,705 swine.

1308. What was the number last year, 1887?—52,989 cattle, 26,405 calves, 728,002 sheep, and 18,626 swine.

1309. There seems to have been a considerable falling off in the number of cattle since the years 1882-84?—Yes, there has been a gradual decrease since then.

1310. (*Mr. Little.*) Are the countries from which the animals come practically the same?—Quite the same.

1311. (*Chairman.*) We will not trouble you to give us *videlicet* the number of animals brought into the market and the ports from which they come, but probably you will be able to put in a paper giving those figures?—Yes (*handing in a paper*).

1312. I understand the total to be upwards of 9,000,000 of animals?—Yes, 9,414,184.

1313. What are the tolls charged?—The charges for landing, wharfage, lairage, and market dues are as follows: beasts per head, 5s.; calves per head, 2s.; pigs per head, 1s.; sheep per head, 9d.

1314. How are those charges divided as to wharfage, lairage, and market dues?—They have not been divided, but a charge should be made for wharfage, for the use of the wharf, and the driving into the lairs, which the market authority does; lairage for 10 days, including a constant supply of water; the delivery of the animals in the first instance to the consignee, and afterwards to the purchaser in such numbers as he may require them for the purposes of slaughter; and

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the animals that are not paid for on the day of sale are booked there for what they call a banker's note. We hold them until the purchaser brings a note from the bank to say that they are paid for; but we are really responsible for them from the time when they step upon our wharf until they leave the lairage for the butchers.

1315. (*Mr. Little.*) Do you employ a tender for landing the animals?—The ships come alongside the jetties.

1316. In all cases?—Not in all cases; in all cases of continental steamers.

1317. But if a very large steamer cannot come to the jetty, what do you do then?—We have a steamer to tranship the animals.

1318. Do you charge them anything for that?—3s. per head.

1319. (*Chairman.*) Can you tell us in what ratio the tolls stand to the prices of the animals sold in the market?—From inquiries that I have made I find that the average weight of a bullock is about 90 stone, taking the stone at 8 lbs., the weight used in London, and this at 3s. 7d. per stone gives about 16l., to which must be added 2l. 5s., the value of the offal, making together 18l. 5s. the value of the bullock. The toll of 5s. is therefore $\frac{5}{185}$ rd, or $\cdot 0137$ of the value of the animal. The weight of a sheep averages 8 stone, and this at 4s. 4d. per stone gives 1l. 14s. 8d., to which must be added 7s. 4d., the value of the offal, making about 2l. 2s. for the animal. A toll of 9d. upon this is therefore $\frac{9}{24}$ th, or $\cdot 0178$ of the value of the animal.

1320. (*Mr. Little.*) Is that 7s. 4d. for the offal?—That is for the skin, pluck, head, and feet; they reckon it at about 7s. 4d. taking the year through.

1321. (*Chairman.*) Will you give us the figures in the case of calves?—The weight of a calf averages 16 stone, and this at 3s. 8d. per stone gives 2l. 18s. 8d., to which must be added 11s. 6d. for the value of the offal, making about 3l. 10s. 2d. for the calf. A toll of 2s. upon this is therefore $\frac{2}{34}$ th, or $\cdot 0285$ of the value of the animal. The weight of a pig averages 14 stone, which at 3s. per stone gives 2l. 2s., to which must be added 2s., the value of the offal, making 2l. 4s. for a pig. A toll of 1s. upon this is therefore $\frac{1}{24}$ th, or $\cdot 0227$ of the value of the animal.

1322. Can you tell us what are the rentals, and what they include?—The totals rentals in the year 1887 were 5,858l. 17s. from slaughter-houses, offal-houses, hay stores, stabling, and banking premises. The charge for rent includes rates and taxes and water supply in addition to all hooks, fittings, travelling gear, hot water, steam boilers, &c., for the slaughter-houses.

1323. Have you any official return of the prices?—No, I have none whatever.

1324. How have you obtained the figures that you have given us?—From inquiries made of salesmen and butchers in the market, and information as to the selling price of the dead meat at the Central Meat Market.

1325. From what countries are the supplies for the market drawn?—From the United States of America, cattle and sheep; from Holland, cattle, sheep, and pigs; from Belgium, sheep; from Germany, sheep; from Spain, cattle; from Portugal, cattle; and from Schleswig and Holstein, cattle and sheep.

1326. What districts are supplied from the market?—A little over two thirds, as near as I can estimate, is sent to the Smithfield Market, and a large quantity is sent to the Whitechapel Market. Retail butchers from all parts of the metropolis draw supplies from the market. A large quantity of mutton is sent into Wales during the first six months of the year. We used to send a large number to Birmingham and Manchester, but we have not done so lately.

1327. There is no obligation or inducement, I suppose, upon anyone to send his meat to a particular market?—No; there is nothing to compel anyone to

send it to any particular market. When killed they may send it where they please.

1328. The market is entirely wholesale, is it not?—Yes, entirely.

1329. What are the market days?—Monday and Thursday in each week; but there is nothing to prevent animals being bought or sold in lairs on other than market days, and salesmen very frequently take advantage of this privilege.

1330. When you speak of Mondays and Thursdays as being market days, you merely mean that they are the busiest days?—They are the recognised market days; but it is inserted in the byelaws that nothing should prevent animals being sold in the lairs on other than market days. The animals have to arrive by water, and in consequence of stress of weather vessels sometimes do not arrive in time for sale on the proper market day.

1331. Have you had any complaints with reference to the market?—No, not with regard to the market itself and its accommodation, which appears to give every satisfaction. The only complaints have been in respect of the tolls, and those complaints related mainly to sheep.

1332. Is the toll upon sheep relatively higher than upon the other animals?—I think not.

1333. Why should the complaints be limited to sheep?—I do not know the reason, but it was the 9d. toll on sheep that they complained of principally.

1334. (*Sir T. Martineau.*) I see the City Remembrancer said "There is a complaint with regard to the charges at Deptford Cattle Market, but with regard to the tolls there is no complaint, they are so very low all through." What are the charges that have been complained of?—The complaint was, so far as I can remember, of the charge of 9d. on the sheep. They thought that it was rather in excess of what it should be.

1335. Has it been considered whether it should be reduced?—The Markets Committee of the corporation have had it under consideration, and I believe they came to the conclusion that it could not be reduced. They take a large responsibility there with regard to the animals that is not taken at the outports, such as Liverpool or Hull. At those ports as soon as the animals are passed by the Government inspector as free from disease the wharf authority hand them over to the consignee and take no further responsibility whatever. In our case we are responsible for them until they are delivered for slaughter.

1336. (*Mr. Little.*) You would not be responsible if they died?—Not if they died; but we are responsible for the number, and that entails a vast amount of work.

1337. (*Chairman.*) If they are not sold within the 10 days what happens?—Under the byelaws of the market I have power to have the animals killed and sold in the meat market in London.

1338. (*Mr. Little.*) In the numbers that you have handed in have you distinguished the different sources of supply from the different countries?—Yes.

1339. This charge is the same, whether the animals are kept for one day or 10 days?—That is so.

1340. Is there any complaint upon that ground?—No.

1341. The importers are satisfied?—The importers prefer to pay the whole of the charge together.

1342. Then you have inspection as well as this looking after them?—Yes, inspection by the Privy Council inspector.

1343. But you have to make all the arrangements for that, and to provide the accommodation for the inspection?—Yes.

1344. What happens if any of them are condemned?—If disease exists in any particular part of the market that portion of the market is immediately closed and the animals are slaughtered under special regulations and restrictions; all the hides, fat, offal, and so on, is disinfected, and the place closed.

1345. It is cremated, is it not?—If it is not fit for food, which would not be the case in ordinary diseases.

1346. Your duties in connexion with these animals are much greater than similar duties in any ordinary market, such as Islington, are they not?—Yes.

1347. There is no comparison between the two?—No comparison.

1348. Not only the money originally spent on the market, but the ordinary expenses about the animals are not comparable?—There is no comparison between Islington and Deptford.

1349. When the meat is slaughtered, have you any means of storing it, or has it to go away?—We have only the slaughter-houses; we have no refrigerator. At the present moment that is under the consideration of the Markets Committee; in fact, it comes before them to-morrow again.

1350. Does the meat go from you to London by rail?—No, by van entirely.

1351. What sort of accommodation have you by rail for butchers who buy and want to take the meat to other places?—We have no accommodation in the market by railway.

1352. How far from the railway is the market?—The nearest is a mile, and they prefer running it direct from the market to wherever it may be by van to shifting it. I have a plan of the markets, if the Commission would like to see it (*producing a plan*).

1353. Is the offal of the sheep worth as much as 7s. 4d.?—Taking the average of the year. We have some very large sheep from Holland during some months of the year.

1354. And I suppose that sometimes they are not very closely clipped?—No, there is a good deal of wool at times.

1355. (*Sir James Corry*.) I observe that there has been a considerable decrease in the number of cattle since 1882?—Yes, that was the highest year. I make the decrease since then 52,975 cattle between 1887 and 1882.

1356. Could any reason be given for this falling off?—I believe it is the extremely low prices.

1357. (*Mr. Charrington*.) Are all the cattle slaughtered at Deptford?—All of them; nothing comes out of the place alive.

1358. (*Sir James Corry*.) Have you had any complaints at all about want of accommodation for the slaughtering?—No, none at all. Nearly the whole of the people who do business there have their own private slaughter-houses, and they prefer it to having a general public slaughter-house. We have a general slaughter-house for those who desire it.

1359. So that no one is prevented from going there because they have not a slaughter-house of their own?—Not at all. I provide them with accommodation for slaughtering their animals at a fixed charge.

1360. I presume the additional 3s. which you charge for landing cattle from a steamer that is not able to come to the wharf is just about the cost you are put to?—Yes, indeed it is done at a loss. When we first began the business we charged for a bullock 5s., and for a sheep 9d., and then we got a little money, and we were able to reduce the charge for a bullock to 4s., and still we got a little over. Then we reduced it to 3s., and ever since then we have lost money by it.

1361. I suppose you have lost money partly because the number is not so great?—Yes, that would be so.

1362. Are you obliged to keep a tender for that purpose?—Yes, a paddle steamer.

1363. Has the number of countries schooled increased or decreased of late years?—They are just the same as they were in 1882, I think.

1364. Have you often cases of disease in the market?—At certain periods of the year more than at others. Just now we have pleuro pneumonia from America, but we have been entirely free from foot-and-mouth disease for two years.

1365. When you say America, I presume you include Canada?—No, not Canada; the United States.

Canadian cattle are not slaughtered at the port of landing, they go free.

1366. (*Mr. Harwood*.) When you say that you do a great deal for this 5s., do you supply the animals with food?—No, not food.

1367. You are not responsible if they die?—No.

1368. What did you mean then by saying that you do a great deal for them?—We are responsible for the safe delivery of them, and we have to keep books and men to tally them and deliver them.

1369. That is all you do?—That is a great deal, and entails a great amount of work.

1370. How many men have you in this market working under you?—It varies according to the business.

1371. But regular men, I mean, because it is possible to spend so much money that nothing would pay?—We do not do that; there are about 110 men regularly employed.

1372-3. Those men have nothing to do then but to see that these animals are properly housed and entered, and booked when they come in and when they go out?—They have to clean the market. The number that I have given you is including the labourers.

1374. What extra men have you when you are more busy?—I daresay 20 more.

1375. What salaries do you pay in the market; what have you, for instance?—The wages at the present time amount to 162*l.* per week.

1376. That is for the 110 men?—Yes.

1377. You say that there have been complaints about the tolls; are you not aware that complaints are general in the country about the cost in this market of 5s. per head for cattle and 9d. for sheep?—No, I am not.

1378. Who pays this 8s. when it has to be paid?—The importer.

1379. Are not these animals generally sent to salesmen in this country?—Yes.

1380. And the person who sends the animals pays the money?—Yes.

1381. So that you never come into contact with those people?—No.

1382. And you are not likely to hear of complaints?—Not from them but from their agents I should.

1383. Would you not think that the gradual decrease of the business is sufficient evidence that the people who do not send the goods do not get sufficient money for the goods when they send them to you?—Yes, no doubt, it is in consequence of the bad price that the meat realises in the market.

1384. Looking at the fact of a sheep selling for 2*l.* 2s., would you not consider 9d. upon that sheep a very large tax for what you do for them?—No, I think not.

1385. Do you not think that the sender regards it as a large tax?—He has said as much through his agent.

1386. The agent complained that the sender of the goods was dissatisfied?—Yes.

1387. If the owner complains to the agent, and you have heard the agent complain that these charges are high, we may take it that the charges, generally 5s. for a beast and 9d. for a sheep, are considered to be very high charges; and I know that there are complaints throughout the country about the charges at this market as being prohibitive?—We have no English meat coming into that market; it is all foreign.

1388. (*Mr. Maclean*.) On the average, do the cattle remain there the whole 10 days before they are slaughtered?—No, I think a fair average would be about five days.

1389. Then you charge just the same whether they remain one day or 10 days?—Yes, the trade prefer it that way, so that they can make up their accounts and deal with the cattle as they think proper; and they can put them in on three or four market days, and there is no more charge. If they do not sell them on Monday they can put them in again on the Thursday and again on the following Monday without any extra charge. With the permission of the Commis-

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sion I should like to explain the difficulty that we have in delivering the animals. In the first instance, there is the ship's manifest sent over and consigned to various people (*producing a paper*). We assist in drawing these things according to their different marks. Then those people sell them. We deliver them first of all to those people as consignees of the animals, and afterwards we deliver them again to the purchasers. The man who sells the animal gives the purchaser a note, "receive so many cattle or sheep," as the case may be, and he has to take that to my office and get a pass for it. That pass is handed to my lair-man and he delivers them as they want them until he has delivered the total number. Of course, if there are any short we have to pay to them. But this is not done at any outport at all; they take no responsibility.

1390. (*Sir James Corry.*) But it is virtually the same as is done by the dock companies or the wharfingers, is it not?—Exactly; I do wharfingers work practically.

1391. But you do more, because you are responsible for the payment?—Yes, and also for any animals lost.

1392. (*Lord Balfour of Burleigh.*) Are these papers fair specimens of the average work that you have to do?—Yes, that is just one market day.

1393. (*Mr. Maclean.*) Does the number of employés which you gave us, 110, include clerks in the office?—Yes.

1394. There would be a good many clerks, I suppose?—Five. Three of them are entirely engaged in the delivery of these animals and making out the notes.

1395. That is what you desire to convey, that there is a good deal of office work?—Yes, there is a great deal of office work which is not done at the outports.

1396. (*Mr. Harwood.*) I understand you to say that there are five men in the office?—There are five clerks who do nothing else except this lairage work. The cattle are sold, of course, to a great number of people, and each one of those has a pass for his goods in order to get them from the lairs.

1397. That is simply a form to be filled up?—Yes.

The witness withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

SEVENTH DAY.

Thursday, 16th February 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, M.P.
SIR THOMAS MARTINEAU.
MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. JOHN J. HARWOOD.
MR. WILLIAM C. LITTLE.
MR. JAMES ALLANSON PICTON, M.P.
MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. JAMES BRIGGS examined.

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1398. (*Chairman.*) You are a solicitor and managing clerk to Mr. Edward Betteley?—I am a solicitor, and I was, until quite recently, managing clerk to Mr. Edward Betteley.

1399. You have had the conduct and management on behalf of Mr. Horner of all litigation and other matters relating to Spitalfields Market, have you not?—I have.

1400. We are given to understand that in 1883 there was some litigation between the Whitechapel District Board of Works and Mr. Horner?—There was, and it continued for some time.

1401. They claimed an injunction, did they not, to prevent his occupying some part of the streets which he actually did occupy for the market?—That is so, and against his taking tolls or stallages in respect of it.

1402. And we understand that they claimed that the charters under which the markets were held were void?—They did.

1403. Will you tell us briefly what the defence was?—Yes. The defence to the action was in substance (1), the pleading of a charter of Charles II., granting the franchise of a market on Thursdays and Saturdays to one John Balch, to hold in or next (*in sine juxta*) the Spital Square; (2), the pleading of a charter of James II., altering the market days to Mondays, Wednesdays, and Saturdays, thus granting an additional day; (3), the pleading that markets have been held every Tuesdays, Thursdays, and

Saturdays, for at least 200 years, and during the summer months on every day of the week (except Sunday), and that therefore the court should presume prescription on lost charters for days other than those for which the right by charter was actually proved; (4), that when the charter was granted the place called the Spital Square was open space, not built upon; (5), the ordinary claim by an owner of land fronting on a highway to the soil *usque ad medium filum viae*, and that necessarily the rights of picage and stallage must have applied to one half of the roads, that is to say, the rights granted by the charter; (6), a claim that no person can seek the benefit of the market without paying the ordinary tolls. The right to the charter of Charles II. was not seriously disputed, it having been previously decided by the House of Lords in the case of *Goldsmid v. The Great Eastern Railway Company*, that it was a valid charter. The right to the charter of James II. was, however, successfully disputed. Mr. Justice Stephen, and the Court of Appeal, following the judgment of the Court of Appeal in *Goldsmid v. Great Eastern Railway Company*, held that it was repealed by the Statute of 1 William and Mary; but Mr. Justice Stephen, on the evidence, found in favour of three market days, namely, Tuesday, Thursday, and Saturday. It should be mentioned that the question of the validity of the charter of James II. has never been determined by the House of Lords. The Court of Appeal, however,

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held that, although the evidence of the user and custom was very strong, and they would have liked to have done so, yet that having regard to the charter of Charles II., they could not presume either prescriptive right or right by a lost charter for the Mondays, Tuesdays, Wednesdays, and Fridays; but Lord Justice Lindley said, "But, of course, that will not interfere with the owner of this open space where the market is from selling on other days. He has a right to sell, but he will not have his monopoly." The effect of the judgment of Mr. Justice Stephen was in favour of Mr. Horner, as regards the internal street on Tuesdays, Thursdays, and Saturdays, and against him with regard to the external street on all days, and he awarded an injunction against his standing or authorising vehicles to stand in either internal or external streets, except as regards the internal on Tuesdays, Thursdays, and Saturdays; but Mr. Justice Stephen refused to make any order interfering with the right to take toll, saying that if Mr. Horner authorised any waggons to stand, he should punish him whether he took a toll or whether he did not; that the toll had nothing whatever to do with the question. Mr. Horner appealed against this judgment, and it was set aside, and no relief of any kind was given to the relators, who were ordered to pay the costs of the action and of the appeal; and that decision was affirmed by the House of Lords, but on somewhat different grounds from those upon which it was affirmed in the Court of Appeal.

1404. Then there was an argument, as I understand, as to the precise extent of the market?—Yes, it was held that the market was not one limited by metes and bounds; but the extent of Mr. Horner's rights in the soil was determined by the House of Lords to be strictly in accordance with the pleadings that I have read, viz., that they were only up to the middle line of the road.

1405. (*Mr. Little.*) That is to say, of these streets that are shown, Lamb Street, Crispin Street, Brushfield Street, and Commercial Street, and particularly Commercial Street?—Yes.

1406. Do the internal streets, North Street, &c., run through the market?—You cannot drive through. I may tell you that West Street has simply disappeared, because all the houses have been pulled down; but at the time when this litigation commenced the market had different features from what it has now.

1407. (*Chairman.*) I think we need not trouble you to go into detail as to the precise limits of the market; I understand that that has been settled by the legal decisions?—Yes, it has.

1408. (*Sir Thomas Martineau.*) The market extends, as I understand from this judgment, so far as is necessary in a continuous line?—I think I can explain that. The reasoning of the Court of Appeal and of the House of Lords somewhat differed. The respondent was not heard, but Lord Selborne and Lord Blackburn held, strictly in accordance with his pleadings, that his right to the soil extended to the middle line of the road. It was never contended on our side that we had a right to take stallage money except on our own soil. It was always contended in both courts that we had a right to take tolls, or compensation in lieu of tolls, from anybody who sought to take the benefit of the market. But the Court of Appeal went further, and said that all these streets were dedicated by the owners of the soil, whoever they were, in view of the market and subject to that right. Two sets of people have market rights, the owner of the market in respect of his franchise, and the public who have the right to buy and sell, and therefore to obstruct, I think it was in that view that the Master of the Rolls said that the market would fairly extend as far as it was necessary to extend. I do not think he meant that Mr. Horner had a right to take stallage money wherever the market went.

1409. He might not take stallage money, except on his own ground, but he might take tolls if the line

extended, say, for half a mile?—Yes, but that would be a question of fact, and always subject to the general principle that a market owner has duties as well as rights.

1410. (*Chairman.*) In your opinion, would the owner of the market be authorised to take toll to whatever distance from the centre it was held that the market extended?—I should be sorry to put it in that way; I should say no, decidedly, as a matter of law, because the decisions on questions of the disturbance of a market have always gone to this—Is the disturber taking advantage of the concourse of buyers? and a number of other questions arise. I think it may be said, at any rate so far as my opinion is concerned, that there is no indefinite extension. It all depends upon the facts of each particular case. I have had several actions of disturbance, but nothing like that.

1411. Then I believe there have been various actions for disturbance of market brought by Mr. Horner against salesmen who have opened places of business in immediate proximity to the market with a view to evading the dues?—Yes. I may tell your Lordship that in those cases there were about 26 salesmen who had opened shops immediately facing the market. Some of them had left the market, and had taken, perhaps, more convenient premises, but they had to pay higher rents than they would have ordinarily had to pay on account of this. It was contended by the landlords that those houses were free from toll, and they were so advertised in particulars of sale. Those actions have all been settled. The only one tried was the case of *Horner v. Freeman*, in which I have the report of Vice-Chancellor Bacon's judgment.

1412. (*Mr. Little.*) These people were practically taking advantage of the markets, and evading the dues?—Yes, that was the language that the Vice-Chancellor used. These men were salesmen, or growers or dealers, who opened their shops when the market commenced at five o'clock in the morning, and their business was practically finished when the market was over. They sold their own goods inside, and they sold the growers' goods from the country inside and outside; and we claimed that they could not do that except upon the terms of paying the market dues. It was not a case of greengrocers or anything of that kind. There are greengrocers in the neighbourhood of the market, but no claim of any kind has ever been made against them.

1413. (*Chairman.*) Supposing, as the result of these decisions, that a man undertakes to sell vegetables in a shop immediately adjoining the market, but outside its recognised limits, can he do that without any legal claim upon him for the payment of toll?—It depends upon the character of his business. If the business be identical with that carried on inside the market, we say, no. If it be a retail business, such as those which are carried on in the immediate neighbourhood, he can do it without any claim whatever against him.

1414. (*Sir Thomas Martineau.*) Do you mean that he cannot sell within his own shop?—I will put it very distinctly. He can within his own shop sell his own goods, but it must not go any farther than that. But in these cases they sold inside and outside; they sold their own goods, and they sold the goods of other people on commission, and they described themselves as salesmen of Spitalfields Market.

1415. (*Chairman.*) Is that the distinction you draw,—that a man may sell his own goods in such a situation as we have been speaking of, but may not act as a salesman?—That is the distinction. The case of the Mayor and Corporation of Manchester v. Lyons is a very illustrative case upon that subject. That case was decided in favour of the defendant on the ground that what he was doing was practically selling his own goods in his own shop. But the then Master of the Rolls, Sir George Jessel, decided that he would not say what amounted to disturbance or not. The case is reported in the Law Reports, 22 Chancery Division, and on page 306 the Master

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of the Rolls said, "The question we have, then, to consider is, whether the defendants are liable for disturbance of the plaintiff's market. The facts necessary to be stated are very few. The defendants are the owners of a shop which is used by them for the sale of (among other things) dried fish and eggs. It is material to consider where the shop is. It is in Oak Street. It is not opposite to the entrance of the market, which is higher up the street, but is opposite to some private houses belonging to the Corporation. The shop opens on the street, and does not open on the market. If we had given to the market the signification attempted to be put upon it by the counsel for the appellants, it would include the whole street which leads up to the market. In my opinion that is not a fair definition of the market. The market is the proper market, and the fact that some persons improperly sell provisions in the street outside does not extend the market." (That was a market limited by metes and bounds, which is not the case here.) "What is the position of the respondents? They sell both wholesale and retail in the ordinary course of business dried fish and eggs which belong to themselves. They sell them on market days as well as on other days, and that is alleged to be a disturbance of the market. It may be a disturbance of the market in this sense, that if they were to shut up their shop more people would go to the market on market days, and more business might be done in the market, but that does not appear to me to have much bearing on the question. What amounts to a disturbance of a market must, of course, depend on the facts of the case, and I am not going to lay down that a man's selling goods in a shop may not be a disturbance of a market. I do not think it is necessary to consider that point on the present occasion, and I do not wish to lay down anything which may be called a definition of disturbance of a market, because a judge, in laying down such a definition, is in danger of framing it so as not to include some device which has not occurred to him, and which would be a disturbance of the market, and then that definition may be cited as an authority for not allowing an action to lie against such a disturbance. It has been held more than once in modern times, whatever may have been the case in former days, that as an ordinary rule the sale of a man's goods in the regular and ordinary course of business in his own shop is not a disturbance of a market, and that something more must be shown to make it a disturbance." That, I think, is an illustrative case.

1416. (*Mr. Childers.*) There is no direct reference there to sale on commission; it is only by implication?—They could not prove sale on commission, though they would have done so if they could.

1417. (*Chairman.*) Take the case of a man carrying on business identical with that which is being carried on in the market; within what distance is he forbidden to do that without paying toll, or is any limit of space laid down?—The common law limit within which a man must not set up another market is six miles and two thirds, but it all turns upon the question whether it is the setting up of a new market. There may be a disturbance which does not amount to that. But the question is of no importance if you have gone any distance from the market, because the man does not take advantage of the concourse of buyers, which is the essence of disturbance.

1418. Then you do not consider that simple competition with the market would create disturbance of the market in the legal sense?—If it be simply a man selling his own goods in his own shop, I do not think it would be held to be disturbance of the market in the legal sense.

1419. But if he is selling on commission at a distance of a mile or so, it can hardly be said that he is taking advantage of the concourse of buyers?—Certainly not; and the point could never arise, because

a commission salesman could only be a man carrying on business at a market.

1420. I think we may take it that the large amount of litigation in which you have been concerned in reference to this Spitalfields Market has led you to give a considerable amount of attention to the subject of markets generally, both from a legal and economical point of view?—It has.

1421. Will you explain in what respect you consider that the rights possessed by owners of markets granted by Act of Parliament differ from those of the owners of markets granted by Royal Charter?—I consider that they differ materially. I say, in the first instance, that neither of them are trusts. That has been suggested by an authority, who called them quasi-trusts; I will not endeavour to explain what that means; I will leave him to do so. I conceive that they are rights of property to which certain duties are attached, which rights can be recalled if the grantee do not discharge the obligation incident to the grant. If the grant of market be by Statute, then the acts of third persons which are forbidden appear upon the Statute, and the owner has a right to an action for disturbance or prosecution to that extent only (it is generally prosecution); but in the case of markets granted by Royal Charter, the common law right to an action for disturbance is necessarily incident, which remedy is, as a rule, far more drastic than that generally given by Statute. The common law recognised the right on the part of a market owner to prevent any other unauthorised person from holding a market within six miles and two-thirds, provided (1) that the plaintiff himself possessed a right by charter or by prescription, which implied a charter; (2) that it was being actually exercised; (3) that positive damage could be shown to have accrued by the acts of the defendant. Now all these three points were considered in the case of *Goldsmid v. The Great Eastern Railway Company*. It has been said that any person possessing a mere right by charter to hold a market could prevent another market being established in London. I conceive that that cannot be so, except in the case of old established markets actually being carried on, because at the present time there are a number of markets existing in law, although, not in fact, in London.

1422. I think there is a case referred to by you in the memorandum which you have prepared for us, in which the Manchester Corporation was concerned, illustrating the distinction which you have drawn?—Yes. The case of the *Manchester Corporation v. Lyons*, 22 Chancery Division, page 287, is very illustrative of the difference between rights existing by Royal Charter and Statute. The Mosley family were, until the year 1846, owners of the Manor of Manchester, and in 1827 they established their right to a market for the sale of fish on Tuesdays, Thursdays, and Saturdays, and a right to oblige fishmongers within the manor to make sales of their wares within the market, and to pay stallage. The Corporation of Manchester in 1846 purchased from the Mosley family the manor and market rights, and by the Manchester Markets Act, which recited the purchase, other market-places were authorised, and a variety of powers were given, including powers to make charges exceeding those which had been charged under the prescriptive right. The defendant was proved to be committing acts which clearly would have been a disturbance of the prescriptive rights; but it was held that the Act operated to extinguish the prior manorial franchise, because it emanated from a paramount authority superseding that which was held from the Crown alone, and that the defendants acts were not a disturbance of the right acquired under the Act of Parliament. There is a very clear distinction, you see, drawn between the two rights.

1423. So that in point of fact, the Manchester Corporation, by obtaining their Markets Act, limited the power which they would otherwise have had as the possessors of the old charter?—Yes, undoubtedly.

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1424. Can you tell us what, from an economical point of view, you consider a market to be?—I conceive it to be the place which is authorised as the only place within a certain radius where articles of consumption of a particular kind can be bought and sold in wholesale quantities. If such a place be large enough, it follows that every buyer knows that he will meet the whole supply, and every seller knows that he will meet the whole demand of the district; and therefore, particularly as the articles are of a perishable nature, nothing in the shape of fixing prices can take place; they must be regulated by the laws of supply and demand, and will vary most materially from day to day, and season to season; and the variations in the prices in these vegetable markets are most extraordinary.

1425. (*Sir Thomas Martineau.*) And in fish markets too?—And fish markets too.

1426. (*Chairman.*) Do I correctly understand you to carry it so far as this: That there is an absolute monopoly of wholesale dealing within certain limits? Yes. I regard it not only as a monopoly of the market owner, but as a monopoly of the public in the interests of the grower as well as of the consumer, and that is a most important thing to my mind, because there is an immense quantity of vegetables grown now that is not sold, and it is not sold because people can get goods here, there, and everywhere, and they do not get the whole demand at a particular place. Further than that, there used to be a great many more costermongers' markets, and dealings of that kind which used to clear off all this glut to a much greater extent than at present.

1427. I think you contend that the principle which you have laid down was recognised in former times?—Yes, it was.

1428. And a rival market established without authority was liable to be treated as a nuisance?—Simply as a nuisance and interference with the laws of supply and demand.

1429. As I understand you to put it, the law is as to the owner of the market, "You have a monopoly of a certain kind of dealing within a certain distance, but on the other hand, there are certain obligations attaching to that right which you are compelled to perform, and the sums which you may charge in respect of the accommodation offered are limited"?—Yes, they are limited in the case of Acts of Parliament by the Act of Parliament, and in the cases of common law markets, by custom, and must be reasonable.

1430. Has that word "reasonable" ever been judicially defined?—I have not any definition in my mind at present, but I may tell you that in the case of markets existing by charter, as a general rule, it will be found that the charges made in respect of them are lower than the charges authorised in markets established by Statute.

1431. That is so in the Manchester case which you referred to?—Yes, that was so; Parliament raised the tolls.

1432. In regard to the Spitalfields Market, with which you are familiar, are the charges there higher or lower than those authorised by any recent Market Act?—They are very much lower.

1433. Was there any preliminary proceeding in former days before the grant of a market by the Crown?—Yes, a Writ of Inquisition *ad quod damnum* was issued by the Lord Chancellor to the sheriff of the county, and he called 12 jurymen together, and they had to find whether, as a fact, the granting of a market would injure anybody else. That was a necessary step to the obtaining of a charter.

1434. Now that markets are granted by statute, I presume that practice is superseded by inquiry before a Select Committee?—Yes, of the two Houses.

1435. In your point of view, if any additional market accommodation is required for London in consequence of the increase of population, that could only be provided under Parliamentary authority?—

Only under Parliamentary authority; that is quite clear.

1436. And the question of any loss sustained by the existing markets would have to be taken into consideration?—Yes, and that would not affect the public, whether the buying or the selling public.

1437. So far as I understand your argument, you contend that the consumer is not so advantageously situated where he has to deal only with a small local market?—Clearly, he is not.

1438. Will you explain your reasons for that contention a little more fully?—For instance, take the case of Stratford Market, which is an unauthorised market, and which exists by virtue of a certain agreement with ourselves. No doubt the greengrocer has to come three or three and a half miles further than he would otherwise have to come to get his supplies; but he comes where the vast bulk of the growth comes; he gets the things he buys there at their real price, regulated by the laws of supply and demand, and although he might be able, and probably would be able, now to get what he wants at the local market, yet as there is no one at the local market to clear off the glut which is continually happening at these markets, it may be that the supply is necessarily limited; that is to say, the market gardener will take care not to send too much in there; he probably will get a better price sometimes than he would get at the old market, but he will not send too much in, because if he once exceeds the local demand he will not get anything for his goods at all; whereas Spitalfields Market, particularly, is known as the costermonger's market for London. I have seen costermongers who have come from all parts, east and west and north and south to this place to buy, because it is known to be a place where not so much articles of luxury come, but articles which are the prime necessities of life; and they buy things at very cheap prices occasionally.

1439. But is not that a calculation which the dealers would be very well able to work out for themselves,—whether it paid them better to come to a small local market or to a large central market?—But I submit that not only the dealers are to be considered, but the consumers. The dealers can take a great deal more care of themselves than the consumers can. The consumers are obliged to buy. I conceive the secret of the market question to be the costermonger. He is really the great friend of the poor in the shape of cheap supplies. There are these retail markets, street markets as they are called, which exist in a number of crowded thoroughfares, where an enormous quantity of goods is disposed of by the costermongers. They only buy when there is a glut, but they want to know where the glut is, as a matter of course.

1440. Would not your argument in favour of a market monopoly bear this construction: that you are trying to create an artificial glut in order that the surplus goods may be more cheaply disposed of?—There would be no artificial glut; the glut depends upon the seasons entirely. It is very curious how this glut happens at times. In the early part of last year, after a very long winter, one particular article of vegetables was selling at from 6s. to 8s. a bag at one time during the frost, and very poor stuff it was. They were turnip tops. The warm weather came; there was a sudden growth, and they could not get 6d. a bag for them. It is not artificial at all; it is purely natural.

1441. I think you have some evidence to which you wish to call attention upon the question of prices?—Yes. There was some evidence given by Mr. Tomlin Campbell in the House of Commons last Session on the Great Eastern Railway Bill, to which I should like to refer the Commission. I am not going to put it to the Commission that the true inference to be drawn from this evidence is, that necessarily people have to pay more at a local market than they would have to pay at an old established market, but I put it as an element. The danger to

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the consumer in connexion with these local markets is, that necessarily the supply is limited, and for this reason: that if the supply exceeds the local demand the goods are absolutely worthless; there is no one to clear off the glut. Not that there is a glut, because the grower is bound to be exceedingly careful to take in only that which he will be sure of selling; in other words, he must limit the supply. This is the reason why one frequently hears it said that better prices are realised at Stratford than at Spitalfields. In corroboration of what I say I wish to call the Commissioners' particular attention to the evidence of Mr. Tomlin Campbell, in the House of Commons, on the Great Eastern Railway Bill, Session 1887, Questions 382 to 394.

1442. (*Sir Thomas Martineau.*) Who is Mr. Tomlin Campbell?—He was a grower in the country. The 391st question is as follows:—"While you were sending to Stratford, did you find the prices compare favourably with the prices that you got elsewhere?" and his answer is:—"It was a point that struck me as very strange, and rather puzzles me. It seemed strange to me that an outlying place should actually command a rate superior to the other more central markets. It had always been a tradition with my own gardeners that the price at Stratford was the best, but when I began to manage it, after a year I looked into it to see if it were true. Then it struck me as queer that the rates are somewhat superior. I am not speaking of the net proceeds, because they are beyond description; I mean the actual rate at which the goods were sold; and in elucidation of that I compared the rates of the early part of this present crop. They were all low, and I sent to Spitalfields, the Borough, and Stratford, and I find that Spitalfields compares with Stratford as '89, and the Borough as low as '75, Stratford being 1." It will, therefore, be seen that if this evidence is correct, the consumers getting their supplies from Stratford Market have had to pay for them 11 per cent. more than they would have bought them for at Spitalfields Market, and 25 per cent. more than they would have got them for at the Borough Market. And this evidence also renders it absolutely clear that the railway carriage and other expenses at Stratford being less than the other two markets did not cheapen the supplies to the consumers.

1443. If I follow you rightly, your argument comes to this: that prices will be lower, other things being equal, in a large central market, because there is less probability of stock being brought there which is unsaleable?—That is so.

1444. A dealer who brings any article there has a better prospect of being able to dispose of the whole of it?—Yes, and added to that there is this circumstance: that in the case of market gardeners, they come up to town for two reasons; in the first place to bring in their goods, and secondly in order to take back manure to manure their gardens. Therefore they must go to a place where they can be sure of selling.

1445. Would you tell us whether that plan on the wall is a correct description of Spitalfields Market as it is now?—It is a fairly correct one. I think there are probably a few more houses pulled down.

1446. Where were the houses that have been pulled down?—Here (*pointing to the plan*). The houses extended from South Street northwards about 30 feet further; from East Street westwards they extended about 30 feet further on both sides; from North Street they extended about 30 or 40 feet further; West Street has entirely disappeared. On the east of Crispin Street all the houses have been taken down with the exception of the tavern at the southern end. The block of buildings between North Street and Crispin Street have all been taken down, and new buildings, designed for market purposes, have been built in their place. The block of buildings between East Street and the opening into Commercial Street, north of it, have been taken down, and a flower market, I believe, is being built there at the present time. The block of

buildings between East Street and Brushfield Street has been taken down, and new buildings have been erected upon their sites; and the block of buildings between South Street and Commercial Street have been taken down and new buildings designed for market purposes erected upon that site.

1447. Then the new buildings are all according to one comprehensive plan, I suppose?—That is so.

1448. And all for market purposes?—They are all for market purposes, with the exception of a public-house.

1449. (*Mr. Little.*) Have these buildings, marked as shops, windows and counters to the streets and communication with the market behind?—Yes, they are completely open, and I believe they will all have communication with the market behind eventually, and the whole of the interior will be covered with a large glass and iron roof, as most of it is at present. I believe it is contemplated to take down the whole of the block of buildings in Brushfield Street between Crispin Street and South Street so as to throw it open for the market purposes. I may also mention that these works have necessitated the demolition of seven public-houses, and that only two licensed houses will remain eventually.

1450. (*Sir Thomas Martineau.*) With regard to the standings, are there stalls in the external streets as well as in the market?—If I were to answer you legally and technically I should say, yes; but the stalls in the streets really consist only of waggons which stand outside the shops in the external streets.

1451. And sometimes they extend beyond the streets immediately around the market, do they?—They used to do so very frequently, but since this large demolition of houses the outer streets have been relieved most materially, and I may say that now it is quite the exception for them to do so.

1452. But they sometimes do?—I daresay they may sometimes do so even now.

1453. How far?—Quite close. It is quite a mistake to suppose that they go to any of these streets off here (*pointing to the plan*). These streets are filled up by carts to get the goods away.

1454. I want to call your attention to your definition of the economical view of a market. You say that it is, as you understand the place, that is authorised as the only place within a certain radius where articles of consumption of a particular kind can be bought and sold in wholesale quantities. Is not that rather too wide a definition? For instance, supposing that a wholesale dealer occupied, say, one of the buildings on the opposite side of one of the external streets, and brought there not the goods of other people, and sold nothing outside in the streets, but sold his own goods in his own warehouse, do you not think that that would be a lawful thing, not amounting to disturbance of the market?—Sir George Jessel carefully refrained from allowing any such notion to exist. He said he would not define what disturbance was; and, in answer to my lord, I was very careful not to go too far. I think if there is nothing else in it than that the dealer sells his own goods in his own shop, I should say that he clearly is not liable to action for disturbance. But, from your question, I gather that there is something else in it, and that is that he sets up immediately opposite.

1455. I take that as the strongest case. If he sets up immediately opposite, and has a wholesale warehouse, selling his own goods there, do you think that he could be stopped from doing that?—In all these cases there is something else, and that is this: he would describe himself, probably, as "of the market."

1456. Supposing that he did not do so, what then?—He would be very cute not to do so, but I hardly think he would get on without doing so. If he opened a shop at 9 o'clock in the morning, the same as ordinary tradesmen do, I should clearly say that there was no disturbance at all; but if he opened at 5 o'clock, or at 3 o'clock in the summer, when green-grocers come to buy their goods, I should say that it was a disturbance.

1457. (*Chairman.*) Is it not rather a case, taking your description where the old saying applies, that no one knows what the law is until he breaks it?—Exactly so. This Manchester case is one of the very nearest to the border line, but in that case the man was not in the street immediately facing the market, but in an off street.

1458. (*Sir Thomas Martineau.*) All that I gather from Sir George Jessel's statement is that he leaves it open?—He does, because he says, "I will not say what a disturbance is."

1459. Therefore you are going a little beyond Sir George Jessel in your definition here, because he has not said that it is the only place where wholesale dealing can take place?—In wholesale quantities I said.

1460. That is the point?—But I am dealing with the economical view; that is to say, the point of view that the legislature has in granting a market; that is so say, it is the place where the grower comes to meet the consumer.

1461. You do not speak of it as actually the legal view that a man is shut out from selling wholesale?—No; in speaking of the economical view of a market, I was not speaking from the legal point of view. The legal rights of the owner of the market are something very different, I think.

1462. (*Mr. Little.*) You know that a great deal of wholesale dealing now is done by sample; that many tons of potatoes are sold by sample; in speaking of wholesale dealing, or dealing in wholesale quantities, you are not intending to include sales by sample of large quantities, are you? Would a man be disturbing the market if in the immediate vicinity he sold large quantities of vegetables by sample?—And sold them somewhere else.

1463. Sold them to frequenters of the market to be delivered where they might be required?—That is a very difficult question to answer. I am afraid it is trenching upon the legal aspect of the case. In all these actions for disturbance very much depends upon the circumstances of each particular case. I should imagine that he would not be disturbing the market.

1464. With reference to reasonable charges for accommodation, I suppose your charges for rents are simply regulated by the demand?—That is so, and that was present to my mind when I made that statement. But I myself believe that if a market owner charged such rents as were prohibitive, he would be restrained.

1465. Or he would ruin his own market?—Or he would ruin his market.

1466. What is Mr. Horner's position with regard to Stratford Market?—The position at the present time is one which is of a terminating character. I have the deed of arrangement here.

1467. It is a private arrangement not sanctioned by Parliament?—That is so.

1468. And the Great Eastern Company is allowed to keep open this market, to which you have objected, on payment of a royalty to Mr. Horner?—That is so.

1469. Then has Mr. Horner thereby established an interest in the market at Stratford as a part of his Spitalfields Market?—No, this is really a private arrangement between a corporation and an individual. If it had been between two individuals no one but those two individuals need have known anything about it; but the company, being a corporation, and being, therefore, only able to contract within their objects, it was deemed advisable that in order to bind the shareholders of that company they should get Parliamentary authority to do this. That was the only reason for going to Parliament.

1470. But they did not get Parliamentary authority?—They did not.

1471. And when your agreement terminates, what will be the position?—We shall be remitted to our original rights.

1472. And you contend that this is an invasion of the rights of Mr. Horner as the owner of Spitalfields

Market?—I do. We took the opinion of the present Lord Chancellor upon the subject, and he so advised us.

1473. Of course Mr. Horner has a valuable property, and he is defending his rights?—He is defending his interests in respect of that property.

1474. And the evidence which you give as to the advantage or disadvantage to the consumers must be taken as evidence coming from a man who has a right to defend?—Undoubtedly. I give my evidence *bond fide*.

1475. I am not questioning it, but it is evidence from one side?—Clearly. So far as I am concerned I do not act for Mr. Horner; I am, professionally, an absolute stranger to him at the present time; my connexion with Mr. Horner has entirely ceased, and is never likely to be renewed.

1476. (*Sir James Corry.*) Are you aware whether there is much competition for the shops in the Spitalfields Market?—There is considerable competition, but it has been very much reduced of late years in consequence of the large amount of additional space which is thrown into the market. From one point of view it would have paid Mr. Horner a good deal better to have kept up the old buildings, the majority of which were not used for market purposes at all, but were ordinary dwelling-houses. If he had limited or cut down the space he would have got larger sums in respect of it. The fact is, that since he has destroyed these buildings and given them this covered area, a great number more salesmen have come in, and very largely increased supplies have come to this market, and the business, instead of being in the hands of a few, is in the hands of a great many people now.

1477. Do the market gardeners themselves take premises from Mr. Horner?—No. I may mention that the market gardeners pay 2s. at the outside per morning for the standing of their vehicles; and when it is borne in mind that this is for a space of about 100 superficial feet in the immediate vicinity of the City of London, I think it will be seen that the charge is a very reasonable one.

1478. The opening of Stratford Market, you say, has reduced the number of market gardeners coming to Spitalfields?—I do not know that it has reduced the number of market gardeners, but it has reduced the number of vehicles that they send, their loads of produce.

1479. But still the business done in the Spitalfields Market now is as great as ever it was, I presume?—I have not the slightest doubt that it is greater than ever it was, and necessarily so, seeing that the accommodation is three or four times as great as it was before.

1480. (*Mr. Harwood.*) You say that when this charter was obtained it conferred certain powers and certain obligations. Supposing that the money that is collected in the market for tolls and stallages is sufficient to meet those obligations, do you think that it was ever intended that it should necessarily follow that Mr. Horner was to make a distinct profit for no service rendered, or nothing done in any way? Did the charter confer upon him some inherent right to make profit out of it?—I think that is assuming that he renders no services.

1481. You said, did you not, that the charter not only conferred rights and privileges but imposed obligations?—Yes.

1482. When those obligations have all been performed, assuming that he had to light the streets and keep watchmen, and to weigh and do everything; when he has done all that, do you think that the charter was intended to confer some benefit upon him outside all that?—Certainly.

1483. Then that would give him an interest in making as much money as he could out of the market, irrespective altogether of any services that he might render?—He was entitled to make as much as ever he could on his own land, provided that he performed his duties.

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1484. Even in those side streets, which he does not light, and does not pay the police for watching, and does not pave, and in which he renders no service, is he entitled to take money out of those streets, and put all the profit into his own pocket?—Yes; but you have not borne in mind that the decision of the House of Lords is that those streets were dedicated by his predecessor in title subject to the right to hold the markets upon them.

1485. But you have been telling us the law yourself as well as quoting what was said in the Manchester case, and so on; is it your view that that charter did confer these beneficial rights upon him?—Certainly; it says so in so many words.

1486. Then is it your opinion that it is perfectly consistent for him to extend his business as he likes up these side streets, paying nothing for all the privileges that he gets, and putting the money into his own pocket?—I have not said so. I think I have explained to my Lord, that Mr. Horner was entitled, as a matter of right, to the soil, to the middle of the surrounding streets, and he has a right to take stallage money in respect of the licences to stand carts upon it, and the setting-up of stalls; but with regard to extending those rights, I am not responsible for any such statement as that.

1487. You say you believe that people get more food, and that they get a cheaper and better supply if they come $3\frac{1}{2}$ miles further for it; can you show that that is so?—Yes.

1488. In the first place you say that these people come here because they get a better supply; do you not think that it would be a better thing if the people were left to judge for themselves as to whether they would get a better supply or not?—I think I might test that by this statement, that in my opinion, if you were to take away from Mr. Horner all the market rights that he possesses, he could, by virtue of his right of property in the soil, take just as much money in respect of this property as he does now, and, in fact, a great deal more.

1489. Do you not think that it would be better to let people send their goods to which market they liked? You say that more people are here, and that the commission salesman must be in the market. He must not be in the market, if I understand your statement, from choice, but because you compel him to go to the market. For instance, supposing that a large grower said, "I do not want the market; the market does nothing for me," and he took a shop in the next street, and he opened that shop to sell his own produce, you would not allow him to do that; you would call that a disturbance of the market?—Yes, because the market would do something for him, otherwise he would not come to the next street.

1490. What would it do for him?—It would attract a concourse of buyers. He would only come to the next street because there was a concourse of buyers.

1491. (*Chairman.*) I understand you to put it that the concourse of buyers is caused by the market, and the market is created mainly by the expenditure in providing accommodation?—Yes. And the number of years that it has been carried on.

1492. Consequently, if anyone comes to carry on his business in the immediate neighbourhood of a market, you contend that he is profiting by the expenditure of other people towards the repayment of which he does not contribute?—Precisely.

1493. (*Mr. Harwood.*) Supposing that he opened a shop half a mile away, and did the very thing that I have just been naming, would you meddle with him then?—No.

1494. Not if he opened it at the same time?—No; but the case cannot possibly happen, in my opinion, because he would not sell his goods at all. I may mention, in reply to one of your questions, in order to show you that the public do not benefit by numerous markets or new markets continually being opened; that in the case of Stratford Market, although the Stratford Market is to a certain extent a very good winter market, yet I have known of an instance

where a large supply coming to Spitalfields Market on a Thursday, which has not been sold there, has been carried all the way to Stratford, and has been sold there stale for much better prices than it could possibly have realised at Spitalfields; and I say that test cannot be to the advantage of the consumer.

1495. As regards the tollage, of course that is fixed by the charter; but as regards the stallage, cannot the owner charge what he likes?—I think so, within the limits of reason.

1496. A man makes a stall particularly profitable, and these stalls are continually being taken up by salesmen as they become profitable. When I was in Kent investigating this matter amongst the growers, I gathered that the markets were getting absolutely into the hands of salesmen, and that every year it was becoming more difficult for the grower to bring his own produce into the market advantageously?—I agree with that to a great extent.

1497. And therefore he has to put his goods into the hands of others, who charge what commission they like, and other expenses, and he says "I do not, therefore, get the profits which would pertain naturally to my own industry in this way." Do you not think that ultimately, if the market goes on in this way, it will become such a monopoly that small growers will be absolutely excluded from the benefits of the market, assuming them to be benefits?—It is for that reason that I say that a market owner has obligations cast upon him, and I consider that the chief obligation is to find sufficient room so that the small men cannot be crowded out. The objection which is made by the grower in Kent that he is obliged to send to salesmen, I think, is a very reasonable objection; if, as a fact, he is crowded out. The business is getting into the hands of salesmen to a very great extent, and no doubt the grower does suffer from additional charges; but, on the other hand, he gets the advantage of the salesman's experience, who knows the value of the goods better than the grower himself does. To my mind, according to the primary view of a market, a salesman was not wanted. It was a place where the actual grower met the actual consumer, but our modern civilisation has introduced the salesman to act on behalf of the grower, and the greengrocer to buy on behalf of the consumer; and if the consumer does not choose to go to the market himself, he may depend upon it that he would have to pay more. But I do think it is most material in the interest of the poor that the costermonger should be encouraged and not harried as he has been of late years. As a matter of fact, if the costermonger were permitted to stand in the public streets on Saturday night and other nights more than they are, much larger quantities of goods could be sold very cheaply. I feel very strongly upon that point, because I think there is a great quantity of goods wasted at markets that ought to be sold, and used to be sold, until the costermongers were driven away, as you will remember they were at Hammersmith. All the costermongers were turned out of High Street, Hammersmith; that was a market of itself. Multiply retail markets as much as you please, but do not multiply wholesale markets; it is a great mistake.

1498. (*Mr. Picton.*) With regard to the multiplication of markets, you say that local markets obtain higher prices, but is there not, on the other hand, a consideration of convenience, inasmuch as they are nearer to those who want the goods?—I guarded myself against saying that they did obtain higher prices; I do not think they do in the long run. I daresay that on occasions they obtain higher prices, because the growers are careful not to send too much into those markets. I should say that in the long run the old markets will realise the better prices.

1499. Granting that to be so, is there not a question of convenience for the consumers in the locality?—No, because the consumer himself does not go to that market; it is the greengrocer who goes there. It is a mere question of convenience to him; it saves him driving his cart three or four miles.

1500. Then you make a distinction altogether between wholesale markets and retail markets?—The very greatest.

1501. Are they not very much mixed up?—No, not at all. Of late years you will find that the retail element is disappearing from wholesale markets altogether in consequence of the costermongers and shops. Practically the Spitalfields Market consists wholly of a wholesale market now, and I think you will find the same at Covent Garden.

1502. But you can buy things by retail in Covent Garden?—In the Central Avenue you can; but those businesses are dropping out. Mr. Bourne, the Duke of Bedford's agent, if he is called, will tell you that the retail businesses are gradually diminishing.

1503. (*Sir Thomas Martineau.*) Your remark applies to London markets only, I presume?—I do not pretend to understand much about provincial markets, but I think the same general principles would apply to them.

1504. (*Mr. Childers.*) Then you think that the tendency at the present time is to increase the retail business at shops and with costermongers?—Yes.

1505. And to gradually crowd it out from the markets which are now used by the intermediary buyers and not by the ultimate buyers?—That is so; it is the law of supply and demand that governs it; it is the course of business. It is not done by any action of the market owners.

1506. It is the tendency of the business of a great city?—It is. I should tell you that there are some very small dealers in the shape of higglers in Spitalfields and Covent Garden and other markets. They are people who buy for the turn of the market. They buy wholesale and sell wholesale. For instance, a large quantity of a particular kind of vegetable may come in at an early hour in the morning, and they buy that cheap in the hope that it may be scarcer an hour later.

1507. Do you know anything of the marketting in France, in Paris, for instance, where the goodwife to this day goes and buys what she wants for the day?—Yes.

1508. That has disappeared in London?—That has disappeared in London in consequence of the shops.

The witness withdrew.

MR. ROBERT HORNER examined.

1515. (*Chairman.*) I think you have been connected with Spitalfields Market for more than 30 years?—Thirty-three years last summer.

1516. You were a potato salesman, I understand?—Yes, that was my occupation before I bought the market. I do deal in them now occasionally.

1517. You bought the market about 12 years ago, did you not?—Yes.

1518. I think we understand that before that time it had been carried on in a very unsatisfactory way?—It had.

1519. You obtained a new lease, and you proceeded to put the market in order?—Yes. I bought the remains of an old lease, an 11 years lease, and I had that for several years before they granted me a new lease.

1520. We gather from the printed statement which you have put in that you pay a rent of 5,000*l.* a year?—Yes.

1521. And other expenses, including interest of capital laid out, you estimate at rather more than the same amount?—Yes, about 10,500*l.* altogether; it would vary a little, perhaps, every year.

1522. The estate consisted, as I understand, of 133 houses?—Yes.

1523. Were most of those demolished?—They are nearly all demolished; I think, perhaps, there are 14 or 15 left standing of the old houses.

1524. What was the rental of those houses as they stood before you began your operations?—The rental was about 7,000*l.* a year.

I think it would be a very good thing for the wives to go to market; they would buy much cheaper. I should like to mention also that the greengrocer carries on an entirely different business from the costermonger. A greengrocer buys a limited quantity; he only buys what he can sell, whether the price is high or whether the price is low. But the costermonger only buys when the price is low, and then he will buy any amount. So that it is the interest of the greengrocer to sell a few goods at a high price, but it is the interest of the costermonger to sell a great quantity of goods at a low price.

1509. (*Chairman.*) And where the costermongers have been practically suppressed, as you say they have been in some places, what becomes of the produce that they would otherwise have disposed of?—It is left unbought. The business goes to the shops, and people have to pay higher prices for the produce.

1510. Do you mean that the produce is actually wasted?—No; it does not realise the price that it would otherwise realise. In some cases it is actually wasted. In some cases you can, to use their own expression, hardly give goods away.

1511. Did I correctly understand you to say that the practice of salesmen acting as intermediaries between the buyers and the sellers was increasing?—I should imagine that it is. But the market gardeners attend the market as regularly as ever they did. The salesmen deal more in the large fruit and potato business.

1512. (*Mr. Little.*) Consigned from a considerable distance?—Some of it is consigned from Yorkshire. Strawberries, for instance, are consigned from Cornwall, and peas from Yorkshire when they are scarce around London.

1513. (*Sir Thomas Martineau.*) And cherries from Belgium?—Cherries from Belgium and from Kent.

1514. (*Chairman.*) As the result of early communication the supplies come from a distance, and the grower cannot be on the spot to sell them?—As regards foreign supplies, and supplies from a long distance, that is so. There necessarily must be salesmen in those cases.

1525. And in consequence of what you have done it has diminished, as I understand, some 3,000*l.*?—That is so.

1526. Therefore, in order to recover what you have lost in the way of rent, you require to receive 4,000*l.* a year more from the place as a market?—Yes, more in the value of the naked land. The naked land is more required than houses in a market for stands for waggons and stalls.

1527. You propose, as I understand, to cover over a large portion of the ground with a glass and iron roof?—Some of it is already done, but there is a portion more to do. There is over an acre now covered with a glass and iron roof. There was no covering whatever before on the estate.

1528. And you either have established or propose to create a flower market?—Yes, it will be ready by the 1st of March; it is now nearly completed.

1529. You expect a considerable increase in the fruit trade, do you not?—Yes, we have increased largely in the fruit trade since we had the covering over the market. There were formerly no places for the people to stand under cover with their fruit.

1530. And I believe you entertain a confident expectation that with lower charges than those at Covent Garden and at other markets, you will increase the annual income derived from the estate to 18,000*l.* a year?—That is what I expect.

1531. We need not trouble you with regard to the litigation which you have had with the Great Eastern Company, because we have already had that from

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Mr. Robert
Horner.

Mr. Robert
Horner.

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another witness. I believe that in August 1884 you came to an understanding with the company?—Yes, that was so.

1532. And a settlement was finally effected in June 1885?—Yes.

1533. But it was necessary to obtain a confirmation of that by an Act of Parliament?—Yes.

1534. Was a Bill brought in in the last session of Parliament by the company for that purpose?—Yes, before committees of the House of Commons and of the House of Lords.

1535. But some difficulty arose as to the charges to be made?—Yes; when the company went for their Bill I had no idea that they were going to ask for additional toll at their markets; I expected that they were going to get their return from the rate. It was not my intention to ask for more toll, because I think that the higher the toll the worse it is for the market. We want a large number of people at a reasonable rate.

1536. Do I correctly understand that the market is conducted by yourself and your family?—Yes, by myself and my two sons.

1537. You personally attend the market?—I do every day.

1538. What are the highest tolls, rents, and stallages which you are empowered to levy, and what are the rates which you actually do levy?—On potatoes, a shilling a ton; on peas a penny a sack; on a barrel of apples a penny; on a bushel of fruit, a halfpenny.

1539. (*Mr. Little.*) Is a bushel the same as a sieve?—A sieve is half a bushel. We charge for two sieves the same as for a bushel. At Covent Garden and other markets they charge all the same.

1540. (*Chairman.*) How much do you charge for waggons and carts?—2s. per waggon when they pay no stand rent; and 1s. 6d. for a cart when they pay no stand rent; that is to say, if they come in occasionally. For others it is 1s. 6d. for a waggon if they pay a stand rent, and 1s. per cart if they pay a stand rent. It amounts to about the same thing. The market gardeners want sometimes to have a stand so that they may go to the same spot, and that their customers can always find them at that particular spot when they bring in their empties.

1541. I presume that the amount charged for stallage varies according to the position of the stall?—It varies according to the size and position of the stall.

1542. Have you any record kept of the prices of the commodities sold in the market?—Yes, we do occasionally make remarks in going through a year when a thing is very cheap or very dear. Potatoes have realised from 10l. down to as low as 1l. 10s. per ton, and I have known them dearer than 10l. I have known them 15l., but that only very rarely. The vegetables vary a great deal in price.

1543. And as a consequence of that variation, I presume that it is impossible for you to say what rate the tolls and dues bear to the value of the commodities sold?—Yes, that is so. Sometimes a waggon load of stuff will fetch 50s., and sometimes it will fetch 50l. It varies very much. The toll is the same.

1544. Have you any means of getting at the average annual turnover?—We went into that, and we got it out as nearly as possible, and we put it at two millions; we thought it was more than two millions, but I think we put it low enough. We went into the business of every market gardener and salesman and stall keeper, and stand owner as nearly as possible, and got at their turnover.

1545. What do you consider, taking that estimate, that the market charges would come to?—About 10s. per cent.

1546. That, to the best of your judgment and belief, is the average charge?—It is. We could not, of course, get at it exactly.

1547. (*Sir Thomas Martineau.*) I presume that that includes the tolls and stallages together?—Yes, that is everything we take.

1548. (*Chairman.*) I think you have expressed an opinion unfavourable to any compulsory powers on the part of the local authority to acquire your property in this market?—Yes, I have asked the question several times. I asked the Whitechapel District Board of Works, when the litigation was going on, to take it over, and I said that I was quite willing to part with it; I did not want it so long as I was satisfied by being paid a fair amount for it.

1549. Did they object so to do?—They said that they should have to get an Act of Parliament, and many other obstacles were in the way, and they did not seem to entertain it at all.

1550. Then, as I understand, the objection has not been on your side?—Not at all. I should have been very pleased if they had taken it over.

1551. If you could get fair compensation for your outlay?—If I could get fair compensation for my outlay, and something for the future, because the market just now is undergoing all this re-building and pulling down, and I cannot get the full value or anything like it at present.

1552. You would, of course, object to the compensation being measured by the present value of the market to you?—It would not be fair to me.

1553. And I presume that if the local authority took possession of the market rights you would expect them to acquire the market also, that is the estate upon which the market exists, so that they should not be separated?—Yes. Before I put the roof on, and before I began to build, I begged the district board several times to take it over and do what they pleased with it.

1554. From one of your answers to our questions I gather that you object to allowing wholesale markets to be created indiscriminately?—Yes.

1555. Will you give us your reason for that?—Do you mean near me, or any distance away? As to wholesale markets, a market wants to be a good market and a full market, so that when buyers go to the market they can get everything they want. They cannot afford to go to two or three markets. The greengrocers come there in the morning in the summer season at three or four o'clock, and they, some of them, stop for two or three hours there buying their goods; and they cannot afford the time to go away to another market to get something, although they could save sixpence. They want to buy everything at one market. If you have too many wholesale markets you only cheat each other; and you do not get one good successful market because they cannot all succeed. In the case of Columbia Market, whatever they do, and whatever they try, although they have let people be there for nothing, and paid them to go there and stop there, and paid for a steamer to bring salesmen's goods from the Channel Islands free,—with all that, the market cannot succeed; it is utterly impossible. There is no room for two markets near together.

1556. Then you would object to any multiplication of wholesale markets, because they would not pay?—Because they would not pay, and they would not be beneficial to buyers. Buyers would have to run from post to pillar, and the real value of the things would never be realised. A man would go to one market and he would not know whether he was paying the right price or the wrong price. Perhaps it is cheaper at one market, and at another market dearer. A multiplication of wholesale markets would not be advantageous.

1557. Would not that be an argument against an indefinite multiplication of shops?—The shops are on a different scale. Street markets and anything that would help the costermongers would do good. Places where costermongers sell cannot be too numerous; there cannot be too great a quantity of such places. Wholesale markets are different. People come many miles to a wholesale market. Most of the people who come to a wholesale market have a horse and cart or van, but if individuals want to buy 3d. worth of stuff for their own dinner, they cannot go

by railway, or have a van or cart; they must go on foot, so that they cannot go a long distance. Numerous places where a costermonger can stand with his barrow help the public a great deal; but a great number of wholesale markets does not help the public.

1558. But supposing that it were fair to everybody to establish a wholesale market where he pleased, and that two or three new markets were established, who would suffer except the persons who had set up these markets and who would lose their money?—They will suffer because they must ultimately fail, though they might go on for a little time. There would not be business enough. Take Columbia Market, for instance, they have tried everything there to make their market go, but there is not room for another market.

1559. But why are you to protect them against themselves? If they think there is room for another market, and are mistaken, are they not the sufferers?—They are the sufferers. They spend their money, and lose it.

1560. And you think that they should be protected by the State against the risk of making an injudicious speculation?—If they have plenty of money to spend I do not think there is any harm; they have a right to do, perhaps, as they please. But, in the case of companies, and such like, it is a very bad thing to create wholesale markets, because people would lose their money. In the case of the Baroness, of course, it is her own money, and she has a perfect right to do as she pleases, but it has been a great source of trouble to her.

1561. (*Mr. Maclean.*) According to your view, the costermongers are very useful persons?—They are.

1562. In this way:—When there is a glut in the market, of vegetables, say, they can come and buy at a low rate, and sell to the working classes at a correspondingly low rate?—Yes, costermongers are a very useful class of people, and they help to feed the poor of London, no doubt, much cheaper than they would be fed if the costermongers did not exist, because the shopkeepers do not sell so cheaply as the costermongers.

1563. I see that among your suggestions as to any changes about markets you suggest that it might be desirable to incorporate the Lands Clauses Act in all existing charters?—That is a question that I do not so much understand.

1564. I was going to suggest that, perhaps, you have not given much consideration to that proposal?—No.

1565. It would have this effect, would it not, of giving to every private owner of a market those compulsory powers which are only vested in corporations like railway companies, and so forth, after they have actually had a decision of Parliament upon the point; that would be rather dangerous, would it not?—The legal points I am not so well up in.

1566. (*Sir Thomas Martineau.*) You are going to use your proposed flower market as an auction room, are you not?—As an auction room and flower market.

1567. Have you auctions in the market now?—Not any; they have them at Covent Garden, but we have never had the convenience for auctions; we have had no place suitable for the purpose.

1568. Do you think that a want is felt for sales by auction?—I think so; they seem to be wanting to come there to sell, because they show samples. The great bulk of the samples of fruit, and so on, come up by the Great Eastern via Harwich from Germany and France, and they can bring them into Spitalfields and show the samples, and there sell them.

1569. Would it only be foreign consignments that would be sold in that way?—The auction is principally of foreign consignments.

1570. Have you ever anything approaching a sale by auction at the end of the day when it is found that there is a quantity of green stuff not disposed

of?—No, that is never sold by auction. Any vegetables that are left at the end of the day are not sold by auction. That is bought out more by higgler and men that stand hanging about; they are not quite costermongers, but men who hang about the market and buy. Supposing that the market gardener is hung up a little with his stuff, the higgler buys it, and puts it out on the ground and sells it in the after part of the day and the next day.

1571. You have no sale of fish at your market, have you?—Not any.

1572. (*Mr. Little.*) Your markets are carried on on three days in the week, are they?—There are three market days. There is a market every day but the growers come on three days.

1573. What is the distinction? Is the distinction that tolls are taken only on three days?—Tolls are taken every day when there is anything to take tolls for. On market days the market gardeners come.

1574. You take tolls every day on the waggons?—Yes.

1575. And you consider that you are authorised to take tolls on days which are not market days?—We do. It would be a very hard thing upon the market owner if he could not take something for the ground that was occupied by the people who come there.

1576. (*Sir Thomas Martineau.*) That is stallage, is it not?—In some cases it is stallage. There is so much money paid for the convenience, whatever it is.

1577. (*Mr. Little.*) Lord Derby asked you what were the highest tolls, rents, and stallages which the owner was empowered to levy, and what were the actual sums levied. You read out one shilling per ton on potatoes, one penny per sack on peas, &c.; those, I presume, would be the tolls actually taken?—Those are the tolls which are actually taken. It is not carried out in every case.

1578. Those are the highest tolls?—They are the highest tolls.

1579. But are they the highest tolls that could be taken?—No.

1580. How is that limited?—There is no particular rule laid down.

1581. It is not defined in your charter?—No.

1582. The toll must be reasonable?—It must be reasonable, and what I suppose we should fall back upon if there was any dispute in the case of tolls would be Covent Garden Market and the Borough Market, which are similar markets. There, I think, their charges are 2d. for a box of oranges and 2d. for a barrel of apples, but we charge 1d. I suppose we could charge the same as they do.

1583. You said that you dealt in potatoes now and that you have been a potatoe dealer; do you deal very largely in potatoes which are sold in your own market?—Yes, I speculate. I buy potatoes by the acre on the land.

1584. And you do so very largely in my country in Cambridgeshire and Lincolnshire?—Yes, and I bring them to London by water and by rail, and there they are for anyone to buy.

1585. Do you sell them yourself or through a salesman?—I sell them mostly myself. I sell a great many to the stall keepers in Spitalfields market, and they are open to be sold to anybody that likes to buy them.

1586. Are you able by buying these large quantities of potatoes to influence or command the price at Spitalfields market?—No.

1587. It is not so large a quantity as that?—No. That has been said. This year I have bought something like 20,000 tons. I calculate on realising about so many per acre.

1588. Six or seven tons?—This year I shall realise something like eight tons per acre. That is about 20,000 tons. That means everything, waste and all. I calculate that in the United Kingdom there are something like 13,000,000 tons. It is said that I monopolise the whole of the potatoe trade,

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but 20,000 tons bears a very small proportion to 13,000,000 tons. I sell a large quantity to go to America. I have sold 2,000 tons just lately to go to America. I sell them to go anywhere. It is a bad job the last few years that I have speculated. The last three years I am 4,000*l.* out of pocket after all my hard toil and labour. My balance sheet shows a loss of 4,000*l.* in the last three years. Three years ago I lost 9,000*l.* in one year.

1589. Do you put up in the market a board stating what the tolls are; is there any published notice?—There never has been any published notice, and many people have asked me the reason why I do not put up a board. My answer to it is this: that if I put up a board I ought to put up upon the board the highest charges that I can take. Then it is a question whether when people read those charges it would not frighten a lot of people away from the market if they saw 2*d.* for a barrel of apples and those high tolls that other markets charge.

1590. Have you any set of rules for those who hire stalls or shops under you?—No. I contract with many of my fruit people from year to year. I take so much of them instead of taking the tolls only.

1591. Is that for stalls?—Yes, including everything that they have to bring in. If they feel that that is more than they would be charged if they paid by tolls they are at liberty at any time to alter it and pay the usual toll.

1592. You compound with them for a certain sum for the tolls?—Yes, for the year throughout, from midsummer to midsummer.

1593. And you allow them to throw it up if it is disadvantageous to them?—Yes, at any time they please. Other pieces of ground we let at 1*l.* a week, some at 10*s.* a week, and so forth. We let them a square piece of land and let them do as they please. It saves a lot of trouble in counting everything they have in. I should want such a lot of people about me that it would run away with all the profit.

1594. I was thinking not of the tolls but of the way in which they conduct their business. Have you any rules or conditions under which they hire?—No, but some are weekly agreements, some monthly, and some yearly.

1595. Is it a written agreement?—Yes, with some. With some we have no agreement, but they are simply weekly tenants.

1596. (*Sir James Corry.*) I presume you think that a covered market is better for your business than an open market as it was before?—Yes, taking a morning like this morning, a snowy morning, the people could not expose any fruit except under cover. A great deal of the foreign fruit comes to Spitalfields now, and if the market were not covered they would have no place to put it under cover. With this large covering the buyers can walk about in the dry and buy their stuff under cover in the market and the sellers can sell; and for the market gardeners themselves and their men on the waggons a morning like this it is a very nice thing to be out of the snow and the rain. When I took the market there was no covering whatever; and it was a most uncomfortable place, in fact, a wretched place. There were no sanitary arrangements, and no police, and everybody did as they liked.

1597. Do the metropolitan police watch the market, or do you provide your own police?—I have the metropolitan police, but I have to pay them. Soon after I took the market the order was so bad that I had six policemen on, and they cost me over 600*l.* a year. Now that we have a better state of things we have only three.

1598. (*Mr. Harwood.*) You said, did you not, that when you got the market you tried to persuade the local authority to take the market from you into their own hands?—Yes.

1599. Then I gather that your opinion is, that if the local authority had sufficient public enterprise and managed the business well, and assuming that

they charge no more money than would pay the interest of the capital which they had actually expended on the market and provide a sinking fund they would be the best persons to conduct the market?—If that was all done; but no local authority could manage a market so cheaply as a private individual if the private individual attends and manages it himself. But if he is going to employ a lot of other people to do it, as a local authority must do, then the market could not be carried on so cheaply.

1600. When you asked the local authority to take it over, did you not think that that would be the best thing to be done?—The local authority entered an action against me to try to stop me from putting a roof on the market, and then I asked them to take it over themselves. That is how it came about that I asked them to take it.

1601. Supposing that you, with your experience, were establishing a market to-day in any neighbourhood, would you not say that the best way of managing the market in the interest of everybody concerned would be to put it in the hands of the local authority?—Yes, possibly it would; they would have more power than a private individual.

1602. And they would manage it better ultimately?—I cannot say that they would manage it better. If a private individual will attend to it and manage it I do not think that anybody could manage it better. But the great question is, that you could hardly expect a private individual to get up at 3 o'clock in the morning. People do not care for that sort of thing.

1603. But a private individual not only pays all his expenses and interest of money, but he wants to make a fortune for himself, so that he can retire as soon as possible?—In my case I do not find it very profitable.

1604. You say that you charge less than they charge at Covent Garden, and that your object in charging less than they charge at Covent Garden is to draw the people into your market?—Yes, the east end of London will hardly bear so much in the way of charges, and I think the lower charges will help to create and bring a lot more trade there. If a man has a shop the cheaper he can sell a thing the more he sells, and the better it is for all concerned.

1605. When you have induced the people to come to the market by the lower charges for tolls and stallages, it would be quite competent for you, would it not, when you have got the business and established the business there, to increase the prices upon them?—If a market owner increased the prices he would injure himself more, I think, or quite as much as he injured the others.

1606. But if the competition of Covent Garden with a higher price induces you to lower your prices, do you not think that an increased number of markets all round would have a tendency to bring down the prices charged in Covent Garden?—If there were half a dozen more of this kind of market they could not stand. They might go on for a few years, but ultimately they would come down in number, the same as they have hitherto done. There are many markets about; there is another market near Spitalfields, Finsbury market, which Sir Sydney Waterlow has built. The tail end of it has been since I have been there, but that never could succeed; it is like Columbia market. There is not business enough for a lot of wholesale markets. The great weight of stuff that comes to these markets is potatoes. After the new season is over, after the Channel Islands season is over, when potatoes come by water to Tooley Street, they come by all the railways in London, and there they are sold and disposed of. They are all markets in that sense. The Great Northern and Midland Companies have now opened markets. That distributes the great weight of stuff which had to come many years ago to these markets, so that I think there are not more markets of this kind required now, though the population has increased very much, because the railways have taken their place. The Great Northern supplies the wants of a tremendous number of people, who go there for the particular

thing that they want. But supposing that there was a market established, the railway can only supply one or two things. Take the Great Northern; they can supply the potatoes and a portion of the green stuff, when it is short in Essex and Kent. If a market was at the railway station instead of being an inland market, there must be always a great amount of things carted to that particular market, the same as to Spitalfields and Covent Garden. All the potatoes from the Channel Islands, and the foreign fruit that comes by water, and it must be carted to some of these inland markets.

1607. You say that you encourage the costermongers; I suppose you encourage the costermongers because, if a grower sent you a ton of plums in the morning, you sell what you can to the shopkeepers at the maximum price, and then the costermonger would be there to clear the remainder at a low price, though it would reduce the average?—That is so; the costermongers are very useful people in clearing the market; they clear out fish and green stuff, and I have endeavoured to make roads through Spitalfields market, which there were not before, so that a costermonger, at a given time in the morning, can bring his barrow into the market and load from the grower's van, and so save 1s. or 1s. 6d. portorage. Formerly, porters had to carry it out to the costermonger's barrow, which came very expensive to the costermonger. Now I have arranged roads, so that the costermonger can bring his vehicle into the market after 8 o'clock in the morning, and load up this refuse. That helps them a great deal.

1608. (*Mr. Childers.*) You would, therefore, so far as the law and the Government are concerned, put no restriction whatever on the number of costermongers or on the places where they may sell?—Not any. We are very pleased to see them. I am as a market owner. They are a great boon to market gardeners and to myself, because they come and take away the refuse.

1609. On the other hand, would you by law limit the number of markets which may be established?—If such a market was near by, so that I was injured by it. It has been said that I have tried to stop costermongers from selling and shopkeepers from selling. That is quite wrong. The only thing that I ever did was to stop salesmen setting up on the other side of the street, just across the road, so that they had no toll to pay, whereas my own tenants had a toll to pay, and were always crying out about the other people being free of toll. I mean a wholesale man, not a retail man or a costermonger who serves the public for eating purposes.

1610. You think, therefore, that the wholesale markets ought to be protected by law, and not to have rivals?—Not to have rivals. You would never get a successful and good market in that way.

1611. What rule of protection would you lay down for markets?—If there were more markets wanted in London, I think that there ought not to be a market set up within a reasonable distance of an existing market.

1612. But who is to define whether more markets are wanted, or what is a reasonable distance?—I think the people that understand markets most could perhaps define that best.

1613. But how are you to form the tribunal which is to decide it?—I would take Columbia market, for instance, as an example.

1614. That is an example of failure; but supposing that I or anybody else wished to erect a market at any place, to whom am I to go to say yes or no, you may, or you may not?—I suppose it would be to the market owner, if he has rights over a certain distance.

1615. You have said that the market owner ought to be protected against other people coming in, where an additional market is not necessary, or within certain limits, and erecting a new market; there must be somebody to decide as to the necessity of the new

market or as to the limits. Who should decide it?—I suppose the law must step in and decide it.

1616. What is the law to be?—I think the necessity should be proved. There would be agitations got up, and it would be proved whether there was a market required or not.

1617. But a mere agitation cannot decide a thing; who is to be the person to decide?—It wants a very great deal of study to know who is the man to know whether a market is wanted.

1618. Generally speaking, we are all at liberty to carry on what trades we like and where we like; you wish to put a particular restriction upon the construction of markets like your own. Who is to say, No, that new market shall not be formed?—I am at a loss to know.

1619. (*Mr. Picton.*) Do you not think there is a little inconsistency here. You say that you have no fear whatever of the success of any rival market, and that they all fail; then what injury would be done to you by the establishment of a rival market?—But during the time they are failing it would rob me. Take Columbia Market; it has done me a very great deal of injury as a poor man against a millionaire, when they can set up a market there and pay people to go. They have paid thousands of pounds for people to go and stop there, making up their losses, and I am injured for the time being though I know it will fail in the end.

1620. (*Mr. Maclean.*) Has not Columbia Market been a great advantage to the neighbourhood?—Not any. No poor person has ever received a farthing benefit for the purpose that the Baroness first started the market. She started that market to feed the poor of Bethnal Green with cheap vegetables and fish.

1621. Do they not go there?—The retail markets form themselves. I was there the first night it opened. They tried it as a retail market. They came to Spitalfields (I was not a market owner then) and they tried to induce growers to go there. They got a few, but the growers found when they got there that the goods perished; there were no people to buy the stuff. There is no market near by, except the Great Eastern Market. Columbia Market has been three or four years trying to succeed partly at my expense. They sent down and got my tenants to go there and offered them places for nothing, and they were paid to stop there. Of course that injured me considerably for the time being.

1622. Still I should have thought that it might have been a great benefit to the poorer classes, although it might have been a great loss to Lady Burdett Coutts?—It was a great loss to Lady Burdett Coutts, but the poor never received a farthing benefit.

1623. Did they not get their things cheaper there than at the retail shops?—Not a farthing cheaper, because the costermonger with his barrow would undersell them. The retail business did not last.

1624. (*Mr. Harwood.*) These poor people are fed generally by the costermonger?—Yes, they are.

1625. And only when he can sell to them under the real value?—That is so. The poor of Bethnal Green never got a bit of the fish that was sold at Columbia Market, it was bought and taken away to Billingsgate by middlemen. The only people that ever received any benefit from Columbia Market were the middlemen, the salesmen, that do not want charity; but, of course, if you offer a man a hundred pounds he is willing to take it. It has never benefited one poor person, but it has benefited the middlemen. A tenant of mine left Spitalfields and went to Columbia Market, and Mr. Burdett-Coutts paid him 500*l.* a year, because he told him that he could make the market a success; but as soon as it was found that he could not make it a success the money stopped, and the man has now come to Spitalfields again; and they nearly all come back to Spitalfields again.

1626. (*Mr. Little.*) In reply to Question No. 23, it is stated that market owners should be at liberty to close the markets at night, are you not allowed to

*Mr. Robert
Horner.*

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Mr. Robert
Horner.

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close at night?—No, and that is very much against us. The stall keepers get so many things stolen at night. There are four small streets belonging to the local authority, and what I applied for was to have gates to shut the market up at night, and they refused.

The witness withdrew.

Mr. J. Allen
and
Mr. T.
Matthews.

Mr. JAMES ALLEN and Mr. THOMAS MATTHEWS examined.

1630. (*Chairman to Mr. Allen.*) I understand that you are a farmer and market gardener at Dartford in Kent?—I am.

1631. You farm chiefly for market garden purposes?—Yes.

1632. Where do you sell your produce?—The principal part of it at Spitalfields, and the remainder at Farringdon.

1633. Will you tell us what you pay as a charge at the Spitalfields Market?—5*2*l. a year.

1634. Is that a sum agreed upon in lieu of all other charges?—Yes; I do not pay any toll or anything of the sort. It was an arrangement made when I first went into the market.

1635. You pay 1*1*l. a week all the year round?—Yes.

1636. And I daresay you can confirm what we have been told, that in former years the Spitalfields Market was not sufficient to accommodate the business?—No, it was not decent for any business to be transacted at all; it was a dreadful place.

1637. But of late years it has been re-constructed, has it not?—It has been very much improved indeed.

1638. Are you, and are the growers generally, satisfied with the market as it is?—I am perfectly satisfied. I think it will be the best market in London, when it is thoroughly completed, and will afford the best accommodation.

1639. Is there protection from the weather?—Yes.

1640. Is there sufficient space?—Plenty.

1641. Do you find that there is opportunity and convenience for the buyers and sellers to meet?—Yes.

1642. Do you sell as a grower yourself or by salesmen?—I have been in the habit of selling myself till within the last two years, but my son does that now.

1643. And you sell, I presume, not so much to the consumer as to the shopkeeper, the greengrocer?—We sell to all. Consumers come to the market as well as the shopkeepers.

1644. And do the consumers buy in small quantities?—Yes.

1645. We have heard it said that at a market prices can be artificially kept up in the interest of the gardener, or dealer, or salesman. I believe you are prepared to contradict that?—I am quite prepared to contradict it. I do not believe it is possible for anything of the sort to be done.

1646. I suppose prices vary very much?—Very much indeed.

1647. And inasmuch as the goods which you bring to market are perishable you cannot take them home again, and they must be sold?—They must be sold.

1648. Therefore, I suppose, that when the demand is not very keen there is great competition among the sellers?—Yes.

1649. It is a matter of opinion, but we understand that you are prepared to say that the toll, whatever it may be, is paid by the seller and not by the buyer?—Certainly. We should not make one halfpenny more or one halfpenny less.

1650. Supposing that that 1*1*l. per week which you now pay were taken off altogether, would you not sell any cheaper?—No, certainly not.

1651. Is it a fact that at times the prices are so low that they do not pay the cost of carrying the produce?—Yes, I have brushed acres and acres of cabbages and savoy into the ground and ploughed

1627. That is a difficulty arising from the situation of this particular market?—Yes.

1628. (*Mr. Harwood.*) That does not apply to all markets?—No.

1629. Are you aware that the Manchester Market is closed at night?—Many markets are.

them in, because they were not worth the cost of taking to London, and would not pay the expenses.

1652. And of course there is no large demand for them on the spot?—No.

1653. Do we correctly understand that even if the prices which rule in the market are very low, you are always sure to be able to sell, because the costermongers will take what you bring?—As a rule. I have known times when you could not possibly turn them into money, but that is not so to any great extent, because of course people would not send them there.

1654. The costermongers are always there, I suppose?—Yes, but we have nothing like so many costermongers as we had 30 years ago. They have been interfered with so in the city selling fruit, and in the district round, that I should not think there is more than one in ten of the costermongers that we had 30 years ago.

1655. Do you ascribe that to their having been prevented from carrying on their business?—That is my opinion.

1656. And not to the competition of the shops?—No. The police interfere with their standing and selling in the streets.

1657. Probably you are not able to say what proportion of the whole produce is taken off by costermongers?—No, I could not; that would be uncertain. If the things are dear the costermongers are not purchasers; when they are plentiful then they buy largely, and take them, not only into this big city, but into the country as well.

1658. How do they dispose of what they buy, are there what are called street markets?—They are not exactly street markets, but they hawk the streets. There is a market in Whitecross Street, and an immense deal of business is done there.

1659. That I suppose is only a place where the costermongers are in the habit of congregating and where they sell their goods?—Yes.

1660. We have often had the question put to us, whether it would be advantageous to increase the number of markets in London; do you think it would be a gain or not if there were several more markets opened?—I think it would be a decided loss. I think it would spoil the whole of them.

1661. Will you tell us why?—Because there must be a large quantity to induce the large buyers to go to the markets; just as if a lady is going to buy a dress she will go to a large shop where there is plenty of choice. If there is a small market there will be a small choice, and if there is a short supply the things will be very dear. Therefore it would be, to my mind, a great injury not only to sellers but to the public at large, because they would not get supplied with vegetables and fruit at so even a price as they do now.

1662. You put it in this way: that if there were four or five markets there would be more risk of excessive produce at one time and deficiency at another, than there is where it all comes to one place?—Certainly. I think we have proof enough of that at Farringdon Market. I have been attending Farringdon Market for nearly 50 years, and it has dwindled down to nothing, because a sufficient supply does not go there to induce the customers to go and buy.

1663. Do you find that a large number of people buy on their own account not to sell again?—Yes, we find that a good many do so.

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1664. I think you have stated that, in your belief, a market cannot be created by Act of Parliament, but that it must grow up of itself?—Yes, that is my opinion.

1665. We have had some references made to Columbia Market. I apprehend that great expense has been incurred and the space in the market is let at very low prices?—Yes, I was offered a stand there for three years to pay nothing, and I preferred going to Spitalfields Market and paying 1*l.* a week. It would be no use my taking my goods to Columbia Market, because it is utterly impossible that I can sell them there. Very little business is done at Columbia Market until the market at Spitalfields is finished.

1666. In short, people have got into the habit of going to Spitalfields and they will not go to a new place?—They have plenty of choice when they get there. If they go to Columbia Market there is not a great choice; and when they get afterwards to Spitalfields Market a great many of the goods would be gone.

1667. (*Mr. Maclean.*) I suppose the bulk of your sale is to greengrocers and not to the consumers?—Yes, the bulk is to the retail greengrocers and the donkeymen.

1668. By the donkeymen you mean the costermongers?—Yes.

1669. I suppose they generally purchase what I may call the residuum?—They purchase a good deal, as a rule that is not the residuum. Some of them are very good customers, regular customers.

1670. Do they not generally buy after, what I may call the general sale is over?—A great many come out and wait to see what will come cheap.

1671. Of course their object is to buy as cheaply as possible?—Yes, and they buy anything that comes cheap. They have no fixed determination what they are going to buy, but anything they think they can get something out of they purchase.

1672. You say that the market toll does not affect the price?—No.

1673. You do not lay that down as a general proposition, do you?—Yes.

1674. Let me put this to you: supposing that instead of paying 52*l.* per annum you paid 250*l.* what would be the result?—I should not make a farthing on my goods. How could I? They would not ask me what I paid in the shape of tolls.

1675. But supposing that all the sellers in that market were charged in the same way, would not that send up the price of the goods to the consumer?—No, the supply and demand regulate the price. The toll would have nothing to do with the price.

1676. (*Sir Thomas Martineau.*) Then would not the effect be this: that supposing you were charged 250*l.*, or we will say 1,000*l.*, you would decline to go on sending to that market?—There is no question about that, because if I was very heavily taxed I should not be able to go on.

1677. So that it would tell, not in the price that was obtained from the consumer, but in whether it paid you to be there or not?—Yes; if I could not afford to do it, I must stop away.

1678. Did you ever send to Columbia Market?—No, I went and looked at it, and that was sufficient for me.

1679. Do you send to Covent Garden?—No; I have gone there many a time to purchase.

1680. Supposing that there were a large number of other markets, you would be able in case the tolls were put up too high at one place, to go to another, would you not?—Yes, but I do not think that that would be advantageous to the person that had the market.

1681. But the public would get the benefit of it, would they not?—I do not think so. I cannot see at all that the tolls have anything to do with the price, because, according to the quantity that there is in the market, the supply and demand regulate the price. One day you will have things very dear, because there is a short supply; the next day there

will be a large supply, and things will be very cheap.

1682. Do the prices vary during the day?—I have had to alter the price three or four times during the day.

1683. And where you have a residuum at the end of the day you have to sell it for what price you can get?—Yes.

1684. Is there any difficulty as to dropping the prices, or ascertaining what the public will give for articles during the day?—No, there is not any difficulty about it, because when we find that we cannot get on fast enough selling at the price we have started at, we have to lower the price, and then sometimes we lower it again.

1685. There is no sale by auction, we have heard, at Spitalfields Market?—No.

1686. Would it be any advantage to you to have a sale by auction in the afternoon?—I do not think so. I like to sell my things and go home.

1687. And you have never found any difficulty in selling them by the process you mentioned of dropping the price?—No.

1688. (*Mr. Little.*) What accommodation does your 52*l.* a year cover?—We sometimes have something like 20 horses there in a day.

1689. And you have standing room for waggons; have you any stall provided?—Yes, we have room to pitch the fruit and those sort of things, as well as standing room for the waggons.

1690. Have you any office?—No, we do not have an office; we have a desk.

1691. And you have nothing to do with cleaning, the market owner cleans the place up?—Yes; no matter what litter we make there it is cleared up ready for us the next day.

1692. (*Sir James Corry.*) Do you say that you sell to consumers to any extent?—Yes, the eating-house people come and buy their own, and others as well.

1693. You have no complaint to make about the want of accommodation?—Not the slightest.

1694. You say that you still go to Farringdon Market and that the business there is decreasing?—There is not a good Farringdon Market. I know the time when it was one of the best markets in London, but that was a small market. Consequently, people came to Farringdon Market and could not depend upon getting what they wanted, and the market has gradually dwindled away.

1695. But still you continue to go there because of your old customers, I suppose?—I have been in the habit of going there pretty nearly 50 years, and I do not like to leave it; but I believe that they are going to shift the market to what should be a fish market, and then I shall certainly leave it, because there will be less accommodation than there is now.

1696. (*Mr. Picton.*) Is Farringdon Market more expensive to you than Spitalfields?—Yes. I pay more rent at Farringdon Market and get less accommodation, and I can sell as many goods at Spitalfields on a Saturday as I could in Farringdon Market in a fortnight.

1697. Is the reason that Farringdon Market is not so conveniently situated for those who buy at such a market?—That is it. A man comes to Farringdon Market and he has to go to Spitalfields, or else to Covent Garden, to make up the little deficiencies that he cannot get at Farringdon Market.

1698. Is Farringdon Market partly a retail market?—It is just the same as Spitalfields, partly wholesale and partly retail.

1699. Have you noticed that the retail business in Spitalfields Market has been diminishing?—I have not more than I have noticed that the whole of the trade is diminishing, because the people have not the money to buy the articles.

1700. But as compared with the wholesale business, is the retail business diminishing?—No, I do not think so. There has always been a good retail business at Spitalfields, and there is now.

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1701. It is no less than it always has been?—No.

1702. With regard to the effect of tolls upon the prices, of course, what you say is quite true that the law of supply and demand must to a very large extent determine the price; but supposing that all the potato sellers in London suddenly had 50*l.* a year added to their rent, would that make no difference to the price of potatoes?—Not a bit.

1703. The expense of carrying out a business makes some difference, does it not?—I do not see how it possibly could, because the supply and demand would regulate the price.

1704. (*Chairman to Mr. Matthews.*) You are a market gardener also, I understand?—I am.

1705. And you carry on business at East Ham and Barking?—Yes.

1706. For how many years have you grown vegetables for the London markets?—Over 50 years.

1707. Where do you send the vegetables that you grow?—The majority of them to Spitalfields.

1708. What tolls do you pay?—I pay 2*s.* per waggon and 1*s.* 6*d.* per cart for stand room, and about 5*l.* a year for waggon stands besides.

1709. Have you calculated at all what that comes to in the year?—Very little indeed. I send 12 waggons a week. It would not come to above 70*l.* or 80*l.* a year altogether.

1710. Can you confirm what Mr. Allen has told us about the present state of the market?—I can corroborate Mr. Allen that the market when complete will be the most efficient market of its kind in the metropolis; in fact, there is four times the accommodation now that there was in 1860, and six times as much as there was prior to that time. In 1858 the market was enlarged, and now all the shanties and all those tumbledown old rookeries, which were a standing disgrace to the place, have been removed, and it is made a most efficient market, having both ingress and egress at any time that you like to go. Formerly we were obliged to be there in the summer as early as two or three o'clock in the morning; the market used to begin at three o'clock. In fact, might was right. Those who had got the waggons in were all very well; but those who could not get them in had to take their chance. Now you can get in at any time, and the buyer can bring his carts and unload the goods off the seller's waggons into his cart.

1711. Are you prepared to confirm what Mr. Allen told us about the toll not affecting the price?—It does not make the slightest difference. The object of paying the toll is to secure a place always so that the buyers may know where you are situated; otherwise, at one time you might be in the north and at another time in the east or west or in any other part of the market, and it would be first come first served.

1712. Do you agree with Mr. Allen as to the prices occasionally being so low that vegetables have been destroyed because they were not worth selling?—In the year 1886 I ploughed in 60 or 70 acres of vegetables because they were unsaleable, and, in fact, they would not defray the expenses of collecting them for the market. I have often done so. Going further back still, in the year 1859, we had hundreds of acres of produce all destroyed because it was unsaleable. In the year 1860 they were just as dear as they had been cheap before. Often articles sold at three or four o'clock in the morning for 5*s.* would be sold at the latter part of the day as low as 2*s.*, and it is only persons who have taken advantage of the early market who would reap the benefit.

1713. Do you agree as to the utility of the costermongers in clearing off what is not sold?—They are the best customers we have. The better the article the more money they will give. What we want to give the public the benefit of is more street markets in the metropolis. It is for the want of these street markets that they have to pay so dear for the vegetables that they purchase. The greengrocer will only buy from day to day what he wants. If a costermonger could expose his goods for sale in the

public streets the public would have the benefit of the lower price.

1714. But I do not understand why it should pay the costermonger to buy very cheaply all he can get, whereas you say it only pays the shopkeeper to buy a small quantity and sell at a comparatively high price?—It is nothing unusual for a shopkeeper to charge 150 per cent. on the article which he buys. The costermonger is satisfied with a very small profit. If the costermonger was more encouraged it would be better for the public, and better for the hardworking class of the people.

1715. Do you say what Mr. Allen said, that there would be no advantage in multiplying the markets?—I do not want any more principal markets. You want to have the Borough market enlarged, and you want to do away with Covent Garden, and establish another market northward instead, more towards Maiden Lane. Covent Garden Market is a nuisance, because I have often had waggons standing at Covent Garden Market as long as two hours before they could get in.

1716. (*Mr. Maclean.*) Do you mean that Covent Garden Market is in the wrong place for a market?—It is in the wrong place because you bring the goods into the market, and you have to take them out afterwards; and not only that, but it is not sufficiently large for the requirements.

1717. Of course, in estimating the price at which you can sell your goods, you take into account the outlay?—They never do that. In fact, at present we have plenty of goods, acres and acres of produce that cost us 20*l.* an acre, that we should be very glad to sell for 14*l.* or 15*l.*

1718. Then it is not a very profitable business?—No, it is not at times, but the boot may be on the other foot at other times. I have often sold goods on a Thursday for 10*s.* and on the Saturday I have sold them for 40*s.*; and I have had potatoes sold on Saturday at 12*l.* a ton, and the following Saturday at 4*l.*

1719. I think you did not quite understand my question. In fixing, so far as you personally can, you and those in the same trade with you, the price at which you put up the goods for sale, you take into account, do you not, the outlay?—Not at all. If I take the average of the last 20 years per acre of all my property that I have under cultivation it fluctuates very little indeed.

1720. How do you fix what I call the starting price?—That is a matter of judgment, entirely. We can form an idea by the morning. We are ruled by the weather. In cold weather an article is in much more demand than in mild weather. The Londoner is ruled by ideas. It is not altogether demand and supply, because A says "That is scarce," and B says "That is scarce," and perhaps they will give you what you are not disposed to take. It is entirely a matter of judgment. You can hardly form an idea whether there is a demand or not, but you know what it means when you have to seek after salesmen instead of salesmen seeking after customers.

1721. When you go to the market, it depends, as I understand, upon what you get as a starting price?—We can always form an idea of that. If this morning an article is worth 2*s.*, to-morrow morning there would be double or treble the quantity started at 1*s.* 6*d.* (*Mr. Allen.*) If I might be allowed to say a word, it is the supply and the demand that regulate the price. There is no fixed rule. We never ask ourselves the question, whether it will pay us to sell at that price or whether we shall lose money by selling at that price. We have got it there, and it must be sold. If there is a scarcity of the article in the market, we have sufficient experience in attending the market to guide us as to whether we can make a good price.

1722. You mean the accidental supply and demand on any particular morning?—Yes. I sent, two years ago, to Mr. Pink, the large jam maker in Long Lane, of whom I dare say you have heard, 10 tons of plums one morning, but when I had delivered them and

got my money there was not an halfpenny for me. I sent them to him rather than let them remain and spoil. There were thousands of tons of plums that year that did not pay the expenses of coming to London, but left the sender in debt.

1723. (*Sir Thomas Martineau to Mr. Matthews.*) In addition to the tolls that you pay, you pay 5*l.* a year, you say?—Yes, for waggon stands.

1724. That, in fact, is a kind of stallage?—It is a kind of stallage, so as to secure a certain stand in the market. Some years back, in the very old market, I only paid 1*l.* Then, when the alteration took place in 1858, I undertook to pay a higher amount, because there was better accommodation; and the accommodation is now so far superior, that I would rather pay 5*l.* than pay 1*l.* under the old system.

1725. Mr. Allen has told us that he pays 1*l.* a week for the whole thing; is there any other system prevailing?—I am not aware of it.

1726. Have you heard of any dissatisfaction among the tenants as to the different arrangements made?—I have not. I formerly had a warehouse in the market, and I gave up the warehouse and I let several of my farms, so that my business has rather contracted compared with what it was then; and the consequence is, that I do not go to Spitalfields now myself; I send my salesman.

1727. But is it a matter of individual bargain between Mr. Horner and each tenant, as to what he is to pay?—That I am not aware of. When Mr. Horner took this property and made the alterations, he said he should require no alteration in the toll. I said, "If you will give me increased accommodation I will give you an increased toll."

1728. The market is open all night, we have heard?—It is open all day; I do not know about night.

1729. Mr. Horner has told us that you cannot close it at night; have you one particular place where you send your waggons to?—Precisely so, and that is the place that I pay the stallage for.

1730. It is a definite place?—It is.

1731. Is it the same with all the tenants?—It is the rent for a stand for so many feet of ground, so much per month or so much per annum, as the case may be.

1732. But it is a definite place?—Precisely so.

1733. Is there no scramble for places?—None whatever.

1734. And you can send in your things at any time you like?—At any time from 3 o'clock in the morning till 5 o'clock in the afternoon.

1735. (*Mr. Little.*) Are the sales made to some extent by sample?—No.

1736. Are not large quantities of potatoes sold by sample?—I never sell by sample.

1737. Are they all brought into the market?—They are. I never paid any toll for potatoes. I grow something like 120 or 130 acres. Of course, I send to a salesman, and I pay him so much commission for selling.

1738. But you only sell those that are actually sent in?—I send to a salesman all the vegetables I sell.

1739. I was only thinking of a large grower of potatoes sending up a quantity and then taking a price for the whole lot?—That might be done by persons in Scotland or in Yorkshire, who send a small sample up and ascertain what price they can get for a cargo, but it is not generally done.

1740. Do you agree that it is impossible to raise the prices?—Decidedly. I never knew the prices raised in my life.

1741. Supposing that a man has command of 20,000 tons of potatoes, could he not raise the price?—There is too much competition.

1742. (*Sir James Corry.*) I suppose you find it a great convenience having the particular stands, so that your customers know where to come?—That is the reason why you pay for the stallage. They know the exact spot where to find you when you or your agent get there in the summer time at 3 o'clock in the morning.

1743. (*Mr. Picton.*) I think you seem to agree with Mr. Allen in this: that any number of additional markets may be permitted, provided that those who sell in the new markets are obliged to buy their goods in the old markets?—Of course, that would make these new markets retail markets.

1744. That is to say, they must buy their goods in the old markets?—Yes, that was the case with Finsbury Market many years back where Sir Sydney Waterlow has those large buildings; but for many years it was a complete failure.

1745. It stands, as I said, that all you care for is, that the monopoly of the old markets shall be preserved?—Quite so. The larger the markets the more the produce, and the buyers know when they come to a large market that they have a choice of the article and also of the quality; and they know what the price is likely to be. But if you had half a dozen markets, you might have a thing at 1*l.* at one market and at 5*s.* at another.

1746. It would be a great advantage, would it not, to those who could buy it at 5*s.*?—But the great question is to know how to get there. All persons cannot get to the right place at the same time.

The witnesses withdrew.

Adjourned to Thursday next at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

EIGHTH DAY.

Thursday, 23rd February 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART., M.P.
MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. JOHN J. HARWOOD.
MR. WILLIAM C. LITTLE.

MR. T. BARCLAY COCKERTON, *Secretary.*

Mr. GEORGE PACKER examined.

1747. (*Chairman.*) You are secretary, I think, to the London Fish Trade Association?—Yes. Perhaps it would be convenient if I stated that, although I

have been connected with the neighbourhood in which Billingsgate Market is situated for the space of 40 years, I am not a fish salesman, and that I have

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been the secretary of the London Fish Trade Association for a period of less than two years; I cannot, therefore, say that I am intimately acquainted with the minutiae of the fish business, and I trust that will be borne in mind in relation to the evidence which I shall have the honour to submit to the Commission.

1748. We understand from the paper with which you have furnished the Commission, that the London Fish Trade Association consists of some 70 to 80 members?—That is so.

1749. And among them are found the principal salesmen and merchants of the market?—Yes.

1750. Do they include also the retail fishmongers?—To a great extent.

1751. Is there a committee of the association which meets regularly?—Yes.

1752. What kind of business does it transact?—It takes cognizance of matters immediately connected with the fish trade.

1753. Who is your president?—Alderman Sir Reginald Hansou, Bart.

1754. Is your association favourable, as a body, to the continuance of the present markets authority?—Yes, provided that the Corporation does its duty to the tenants engaged in the trade—for the benefit of the public, and not for profit.

1755. How is the fish trade affected by the action of the market authority?—We consider that the trade is enormously taxed in proportion to the value of the goods which are dealt in.

1756. What are the present rentals and tolls?—The rentals of the shops range from 315*l.* to 425*l.* per annum. The tolls on land-borne fish are 2*s.* 6*d.* per van, which averages something like 1*s.* per ton. On water-borne fish the toll is upon the tonnage of the vessel, and averages something like 5*d.* per ton, and, on lesser quantities, about 1*d.* per cwt.

1757. When were those rentals and tolls fixed?—They were fixed by the Court of Common Council, and sanctioned by the Board of Trade, under the provisions of the Billingsgate Market Act, 1871.

1758. Then they have only been in operation for about 16 years?—That is so.

1759. Was the trade consulted previously to the rentals and tolls being fixed?—No; but upon the amount of the rentals and the tolls being made known to the tenants of the market through the medium of the press, a petition protesting against the same was immediately sent to the Board of Trade. This becoming known to the Markets Committee, the chairman put himself in communication with the trade, and promised that if the petition to the Board of Trade was withdrawn, and the new market should prove a financial success, a reduction in the proposed rentals and tolls should immediately be made. Upon the faith of this statement, the petition to the Board of Trade was withdrawn.

1760. And have the rentals and tolls been lowered?—No.

1761. How do they compare with the rentals of an earlier date?—In 1850, they were from 1*d.* to 3*d.* per foot, per week. I should say, that now they would be at least four times as much.

1762. They have increased four-fold?—Yes.

1763. What is the average rental per superficial foot per week in the Billingsgate Market?—About 8½*d.*, or thereabouts.

1764. What is the average rental per superficial foot per week in Leadenhall Market?—About 3*d.* to 4*d.*

1765. What is the opinion of the trade in general upon the charges made by the Corporation?—The trade think that the charges are excessive, and that they demand immediate attention with a view to a considerable reduction being made.

1766. Do they consider that any improvement could be effected with regard to the existing rights held by the Corporation?—They are of opinion, that in the interests of the public, the existing rights of the Corporation should be maintained; but they pro-

test against the present system of dealing with the surplus revenues of the market.

1767. May we take it that they think that there ought to be no surplus revenues, except such as go to pay for expenses incurred in time past?—They think so. There is a general feeling that the surplus revenues should go towards improving the markets, either in increasing the area of it or otherwise.

1768. Have the fishermen or the public any recognised rights in connexion with the market?—The fishermen can, if they please, sell their own fish; and the public of course, have the right of access to the market during market hours, which are from five o'clock in the morning to three o'clock in the afternoon.

1769. You say that the fishermen can, if he pleases, sell his own fish; is it not the practice for him to do so?—No; he generally consigns it to a fish salesman in the market.

1770. Are you aware whether there is any wish on the part of the fishermen to do that work for themselves, instead of leaving it to the salesmen?—If there should be, there would be an opportunity afforded them for doing so.

1771. But as a matter of fact, they do not show any desire of doing it?—I think not. Their consignments are generally to the recognised salesmen of the market.*

1772. Is toll ever charged twice over on the same goods?—Wet fish pay toll, and, if they are taken from the market to be cured and brought back again, a second toll is demanded and paid. In the case I mean, of haddocks more especially, they may be sold in the market as wet fish, taken away, and brought back again to the market as cured haddocks, and in such a case the toll would be re-demanded.

1773. Would it be possible, in your opinion, to put an end to that charge without opening the door to a good deal of fraud?—I fear not.

1774. Is toll levied upon fish sold from vehicles in the neighbourhood of the market?—Toll is charged upon all fish consigned to the market, whether sold in it or from vehicles in the streets.

1775. Is toll levied upon fish if sold in the shops in the vicinity of the market?—No toll is then charged.

1776. When you speak of the vicinity of the market, what do you mean by that; what constitutes vicinity?—Lower Thames Street especially, taking its length from London Bridge, we will say, to Tower Hill and the streets abutting upon Lower Thames Street, such, for instance, as Fish Street Hill, Botolph Lane, and one or two other places; but especially, I might say, with regard to the new street, Arthur Street Extension. That will be considered in the vicinity of the market, and is very largely used by persons doing business in the market.

1777. Has any difficulty ever arisen as to defining the limits of the market?—Yes, there has been such a difficulty, but it was recently settled in an appeal case, that the streets abutting upon the market did not form a portion of the market, and therefore tolls could not be claimed in those streets.

1778. May we take it that the limits are now fixed for practical purposes?—I think so.

1779. And no further difficulty of the kind is therefore likely to occur?—I should say not.

1780. How are the tolls collected and paid?—They are collected daily by the clerk and superintendent of the market.

1781. You have already told us that, in the opinion of the trade, they are excessive in amount?—Yes. Having regard to the accommodation provided for the tenants by the Corporation for the disposal of their consignments, they would be considered very excessive.

* The witness subsequently added that he must make an exception, however, to, perhaps, three-fourths of the trawl fish brought to Billingsgate Market by some 30 steam cutters, which are sold by public auction by the fishermen's own servants.

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1782. What accommodation does the Corporation provide for the tenants in return for the rents which they pay?—The stallage tenants have their standing room with the use of gas and water.

1783. (*Mr. Little.*) Are no counters or stalls provided for them?—I am not sure whether there is not a boarding laid for them to stand on, I rather think there is; and there is a board of some kind just to expose, it may be, samples of fish upon.

1784. (*Chairman.*) What is the general value of the fish sold in the market?—The common kinds of fish range from 6*l.* to 10*l.* per ton, and the common kinds of fish would be somewhere about seven-eighths of the whole quantity that is consigned to the market.

1785. I presume we may take it from what you have told us, that there are considerable profits arising out of these rentals and tolls?—Yes, there is an increasing profit.

1786. Do you know the amount of it?—I think for the last four or five years the average would be about 6,000*l.* or 7,000*l.* a year. If I said 6,000*l.*, I should be within the mark, and I am inclined to suppose that this amount will go on increasing, as the heavy expenses for dredging, for pontoons, and other improvements lately incurred are all deducted before arriving at the actual annual profit, and are not likely to recur.

1787. Have the tenants any complaint to make with regard to the disposal of the profits?—They have. The tenants of the market are of opinion that such profits should be devoted to the paying off of moneys that have been raised on the credit of the market, as provided by the Billingsgate Market Act, 1871, and not for the purpose of meeting deficits of other markets.

1788. But do you say that it is expressly prohibited in the Act which you quote, that the money shall be applied in this way?—I cannot say that.

1789. I do not understand you to allege that the Corporation are acting illegally in the matter?—I do not say that.

1790. But you consider that each market should be independent of the others, and that the profits of the one should not be used to cover the deficits of the others?—That is exactly what I mean.

1791. (*Mr. Childers.*) I think one of your former answers was to the effect that the trade would wish the privileges which the Corporation at present possess in relation to Billingsgate Market to continue; how would you define those privileges?—The trade think they are safer, if I may use the expression, in the hands of the Corporation than they would be if the market was managed by a company or by an individual.

1792. The Corporation have certain rights, have they not, under which they can prevent the establishment of markets in the neighbourhood of Billingsgate?—Yes.

1793. Do you wish those privileges or those rights to continue?—Yes.

1794. You desire the monopoly, only you wish that some restraint should exist upon the power of establishing charges under that monopoly?—I think that is so.

1795. That is a totally different question from whether Billingsgate should be managed by the Corporation or by a company. Can you give me the reason why you think the Corporation should have these monopoly rights?—Because, as I have just observed, the trade feel that they would be safer in the hands of the Corporation, that the Corporation, in fact, would deal more liberally with the trade than would be the case if a company or a private individual had power over the markets.

1796. That is a very good reason for the Corporation having the management of the market, but is it a good reason why the Corporation should have a monopoly, and why nobody else should be allowed to establish markets if they wished?—The Corporation deal very fairly, in a general way, with the trade, and I think there is no wish that the right should go to anybody else.

1797. But for a monopoly there must be some express reason, not mere convenience, but something more. You have given a very excellent reason why the Corporation should manage Billingsgate Market; but why, in the opinion of the trade, should they have the exclusive market right to the exclusion of anyone else who might wish to establish a market?—I can merely reiterate what I said just now, that the trade believe that in the hands of the Corporation they are fairly dealt with, and are safer, so to speak, with them than they would be if the market were to pass into other hands.

1798. That you think is a sufficient reason for maintaining a monopoly?—That appears to me to be the reason why the trade would prefer the market rights to continue in the hands of the Corporation.

1799. You have spoken of the surplus in the last few years as being about 6,000*l.* or 7,000*l.* a year; that allows, I think, no sinking fund for the capital expenditure?—No.

1800. And if there were a sinking fund established for the capital expenditure, you would have to reduce the estimated surplus?—Yes, unquestionably.

1801. Have you ever considered how much the surplus would be if a reasonable allowance were made for a sinking fund?—I cannot say that I have.

1802. Or for the depreciation of the buildings?—I do not remember that question, in that form, ever coming before the committee since I have been connected with it.

1803. As a matter of business, is it not a reasonable allowance to make?—I cannot but say that it is.

1804. I suppose Billingsgate Market is not eternal, and the buildings will only last for a certain time, and must eventually be replaced?—Yes.

1805. And for that, and for a reasonable sinking fund, upon a great capital expenditure, considerable allowance ought to be made?—No doubt.

1806. Will you have the goodness to calculate how much you think ought to be deducted from the 6,000*l.* or 7,000*l.* a year, if those two matters were taken into consideration?—We think no part of this amount should be deemed to go to a sinking fund, seeing that all expenses for maintenance of the fabric of the market, &c. is paid for year by year, and the balance that remains is the actual profit, after all such expenses have been defrayed.

1807. I do not know whether it is quite pertinent to the matter, but is it the case that there is now in these days any considerable destruction of fish coming to Billingsgate Market, because it does not fetch the price which those interested in the sale of fish desire to get?—I should say not. Considering the enormous quantity of fish that comes to Billingsgate Market, the quantity put on one side as not being sufficiently good for sale, is a very small proportion of the quantity coming to the market.

1808. But was it not the custom, at one time, that a large amount of fish, although it was fit for food, was destroyed in order to keep up the price?—I think not.

1809. That has been very often said, and I am glad to get your contradiction?—Emphatically, I should say not. Having, as I said just now, known the neighbourhood for 40 years, I should have heard of it if that were the case. My opinion is very much against the supposition that that is true.

1810. Therefore, practically, all the fish that comes to Billingsgate either goes into the best shops, or goes into inferior shops, or goes to the costermongers?—Yes.

1811. In some shape or other it all goes into consumption?—Yes.

1812. (*Chairman.*) The amount of debt incurred on the Billingsgate Market is 269,000*l.*, is it not?—That is the amount, and that is one of the questions which the fish trade are sore upon. They consider that according to the provisions of the Billingsgate Market Act, that amount should never have exceeded 150,000*l.* It is expressly provided in section 23 of that Act that the Corporation may from time to time

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pay off any money borrowed under this Act, and may in manner aforesaid re-borrow the same or any other amount, but so that the total amount borrowed under this Act and remaining unpaid shall not at any time exceed 150,000*l*. The association contends that as the Corporation have exceeded that amount, it is wrong for them to take the profit of the market, so to speak, in order to pay off that surplus money which they had borrowed.

1812*a*. (*Mr. Childers.*) But do you not get consideration, in the way of convenience, for the capital raised?—The association rather demur to that, I think.

1813. (*Chairman.*) At any rate, the money has been borrowed, and you would not advise the repudiation of the debt, I suppose?—Certainly not.

1814. (*Mr. Charrington.*) Was there not a considerable amount expended in deepening the river in front of Billingsgate Market to enable the vessels to come up at all times of the tide?—That may have been so; I am not sure as to that. Recently there has been extra provision made at the waterside for the better landing of the fish; but that has been done within the last year or eighteen months. With regard to the dredging, which you speak of, I am not prepared to answer whether it is so or not.

1815. (*Mr. Harwood.*) Supposing that you were to destroy a ton of fish to-day, and that that ton of fish had come from a fisherman to a salesman, are there any records to be obtained as to the date at which that fish came in?—I should say yes, certainly.

1816. And when it was condemned?—I have no statistics by me that would enable me to answer that question specifically.

1817. That is an important question. Can you supply the Commission with any kind of tabulated form by which any records can be obtained upon that point?—I will do so.*

1818. (*Mr. Charrington.*) Is there not a record kept at Fishmongers' Hall of all fish that is destroyed?—I believe a daily record is kept, with description and weight of all fish condemned in Billingsgate Market and neighbourhood, and is published from time to time by the Fishmongers' Company.

1819. Occasionally one sees paragraphs in the newspapers about fish being seized?—Yes.

1820. (*Mr. Harwood.*) We can get that from the inspector's records. If, for instance, the market to-day were overstocked with cod, if the fishermen had sent in a great quantity of cod, and the salesmen do not want to reduce the price, they can keep it over three or four or five days, and then they can intimate to the inspector (as they often do) that there is a quantity of bad fish, and he would come down and condemn it. I understand you to say that there are

* The witness subsequently supplied the following Table showing the quantity of fish condemned.

Fish condemned at and near Billingsgate Market in January 1888:—

			Tons	cwts.	qrs.
Wet fish—Weight by land	-	19	2	1	
" " water	-	20	8	2	(16 tons were Norway herrings.)
Shell fish " land	-	8	5	1	
" " water	-	5	19	0	
Total fish condemned	-	48	15	0	

Fish condemned at Shadwell Market	-	0	2	0
Fish condemned at Farringdon Market	-			Nil.

The weight of fish delivered at and near Billingsgate Market during the month being—		
By land	-	8,297 tons.
By water	-	5,156 "
Total	-	13,453 "

Ditto ditto Shadwell Market - 1,188 "

Note.—The percentage of fish condemned to that delivered at Billingsgate Market is about $\frac{3}{4}\%$, or 1 ton in 275,959 tons.

records upon that point. I see that a great deal of the fish that comes into your market is sold by auction?—Yes. I should think about three-fourths of it.

1821. I thought that it was not all sold by auction that came in by rail and road?—No. The better kinds of fish are not sold by auction.

1822. What proportion of the market would the bommarees have?—A very small proportion. They would have the alleys or lanes leading to the other parts of the market; they would have a pitch almost wherever one could conveniently be found for them.

1823. The retail dealer has, I see, a still less proportion, and there has been a great diminution of the retail dealers in the market; do you not think that they have diminished very much on account of the difficulty of getting any space?—No.

1824. But the retail dealer could not have any space until a wholesale dealer had done with it?—No.

1825. Then he has to wait with his stuff there, and he cannot break his parcel and cannot sell his goods until a space is vacant?—Very often the principal salesmen are away from their stands quite early in the morning. I have known them to be away from their own particular stands as early as seven o'clock in the morning, and then there would be plenty of time for the bommarees to take their places in a case of that kind.

1826. Supposing that a salesman dies, how is his stall taken up; is it let by tender, or is it open to anybody to apply for it, or is there some sort of goodwill in it?—They apply to the Markets Committee for a stand.

1827. Is the vacancy let by public advertisement or upon testimonials?—I think that names are put upon a list in order of time for vacancies as they may arise, and they get those stands according to the time when they apply for them. It is perfectly fair, and they have stands whenever the opportunity offers.

1828. It is open competition?—Yes.

1829. You said that the case had been tried, and that the decision was that the streets abutting upon the market were not considered to be part of the market, and that therefore to sell in those streets was not a disturbance of the market, and that they paid no toll for so doing?—Yes, that is so.

1830. It struck me as being rather peculiar that Sir Reginald Hanson is the Chairman of this Association of yours; is he not an Alderman?—Yes; he is the President of the Association.

1831. He is an Alderman, and he is President of your Association?—Yes.

1832. And yet you are dissatisfied with the way in which the Corporation deal with you?—I do not know that I have expressed any very great dissatisfaction. I must say that the London Fish Trade Association are not very dissatisfied with the way in which the Corporation treats them. They are only dissatisfied on certain points, more especially with regard to the point which Lord Derby spoke of just now, viz., the way in which they deal with the surplus rental of the market. The Corporation make a profit out of the rental of Billingsgate Market of 5,000*l*. or 6,000*l*. a year, and they apply that for the deficit of Leadenhall and other markets; and the trade thinks that that is a very unjust way of disposing of their profits.

1833. You say that in your opinion (I suppose that is the opinion of your association) they are much safer in the hands of the municipality than they would be in the hands of a private individual?—Yes, most emphatically.

1834. And you think that that is the best way of administering a market?—Yes.

1835. (*Mr. Charrington.*) Since that legal decision which you spoke of, in which the streets adjacent to the market were declared not to be part of the market, do the Corporation still raise tolls from people in the adjacent streets who sell fish?—Certainly not.

1836. That has ceased?—Yes, unless the vehicles are in close proximity to the market. They must

stand on the side of the market to deliver their consignments, in which case, if they are conveyed from the van to the market direct, toll would, of course, have to be paid.

1837. (*Sir James Corry.*) You say that the trade was not consulted when the rentals and tolls were fixed some years ago?—They were not consulted.

1838. The Board of Trade was petitioned by your association, I presume?—By the trade in general.

1839. And, it was not until then that the Corporation took any notice of you at all?—I believe the London Fish Trade Association was not at that time established; it came into being shortly after that time, and it was very much because that happened.

1840. So that, since the petition to the Board of Trade was withdrawn, nothing has been done towards reducing the rentals of the stalls or the tolls?—No, nothing.

1841. Has the association or the trade applied to the Corporation to redeem what they considered was their understanding?—Yes.

1842. And what has been the answer to that?—The last phase of the question was, that the Corporation said that they would be willing to reduce the tolls from 2s. 6d. per van to 1s. 6d., provided that the railway people would pay the 1s. to make up the 2s. 6d. as they had done before this new market was established. The condition upon which the railway people would pay the 1s. was, that their vans were not interfered with by the police, and that in case of demurrage they would make a charge which would be paid by the salesmen, a charge of 3d. per hour, I think, after three hours, or something like that. So that, practically, nothing has been done since.

1843. Do I correctly understand, that prior to the re-arrangement of the market the railway companies paid part of the tolls?—That is so.

1844. And since the re-arrangement the railway companies have not done so?—That is so.

1845. And the reason that the railway companies have not done so is, that their trucks are not allowed a sufficient time to discharge, or that there is some hindrance to their coming into the market?—Or, to put it in another way, they would be willing to pay this 1s. per van, supposing that the vans were not detained beyond the three hours, and that if they were so detained, in consideration of their paying 1s. they should also be paid a demurrage rate.

1846. Why do the salesmen object to that?—Another condition was, that the railway authority should be guaranteed non-interference by the police. The Fish Trade Association felt that they had no power to promise that the police should not interfere with their vans. Consequently the proposed arrangement fell through.

1847. But then the fish salesmen, as I understand it, are not willing to be bound that these vans should be released within three hours unless they pay demurrage?—There would be great reasons for their not doing so, because the quantity of fish sometimes coming to the market is so great that they could not possibly be bound under those circumstances; that is to say, they could not pay 3d. if the vans were detained beyond three hours. They would object to do that.

1848. Is there sufficient accommodation for the fish trade now at Billingsgate?—Yes, I should say so, especially since the opening of the Arthur Street extension, which has given a considerable extra area of space round about the market, and enables the fish to be got in and out much more readily than it was before.

1849. Can you tell the Commission whether the quantity of sea-borne fish has increased of late years?—Yes, it has increased by fast steam cutters being put on from the North Sea straight away to Billingsgate, so that the fish is brought up in better condition; it is not shifted about nearly so much. The water-borne fish has increased of late years, but I cannot say to what extent, perhaps not to a very large extent.

1850. Do you know whether they are satisfied with the accommodation which has been arranged for the

increase of their trade?—I am not sure; I am not in a position to answer that question.

1851. You say that ordinarily about seven-eighths of the fish coming into the market is sold at from 6l. to 10l. per ton?—Yes.

1852. And that it is not the case that fish are destroyed so as to maintain the price?—Most certainly not.

1853. Do the costermongers take away a large quantity of fish?—Very large quantities indeed. I should say that the costermongers were really the best customers to Billingsgate Market, certainly for the commoner kinds of fish. The quantity of haddock, for instance, that is sold from Billingsgate is very large indeed, and those costermongers buy it cheaply, and take it to their respective places and cure it, and it is very often brought back into the market and sold as smoked haddock. There is a very large trade indeed done with the fishmongers in that particular.

1854. I understand from you that all the sales are by auction?—No. I have stated as nearly as I can the proportion so sold.

1855. Have those salesmen any monopoly; how are they appointed?—They have no monopoly. They find themselves as salesmen much in the same way, I apprehend, as other business men would find themselves with regard to their business. They are obliged to apply to the Markets Committee in order to get a stand in the market before they can sell.

1856. (*Mr. Charrington.*) Would the fish trade complain if the total surplus of income from Billingsgate Market was applied to the reduction of the debt?—I think not.

1857. Because they would eventually gain the benefit?—Yes; I think that is strongly the feeling of my association.

1858. (*Chairman.*) But at present there is absolutely no sinking fund, and no step is taken towards the reduction of that debt of 268,000l.?—That is so.

1859. (*Mr. Childers.*) And there is no provision in the accounts for renewal or depreciation?—I think not.

1860. (*Mr. Little.*) I understood that it was particularly the rents that your association complained of, more than the tolls?—We complain of both.

1861. Is there a keen competition for stands?—There is.

1862. And they are all taken up, of course, if there is competition, even though the price is excessive?—Yes, they are taken up.

1863. Is there a complaint as to subletting them?—There was a complaint, but that has been satisfactorily arranged within a very short time.

1864. If they were sublet, it is to be presumed that there was a profit made?—I think the rule laid down by the Markets Committee in such a case was this: that the person who engaged the stand after the principal salesman had done was not permitted to pay above half the rent which the principal salesman paid for his stand.

1865. Then he paid a part of the rent for occupying it a part of the day?—He paid a moiety of the rent for the remaining portion of the day.

1866. Have you any particulars as to the amount of money turned over in the market in the year; does your association keep any record of that?—I have never heard.

1867. Does your association collect any record of current prices?—The association being formed of the principal salesmen, together with the retail fishmongers, I have no doubt that in their own minds they know that perfectly well.

1868. But it is not formally stated and recorded in your transactions?—No, it is not.

1869. Have you any complaint as to the encroachment on the pathways by casual vendors?—Yes; the salesmen are sometimes very much inconvenienced on that ground, for those people pitch their baskets and so on in the pathways, and they impede the progress of persons going in and out very considerably. That is the great objection that the salesmen have.

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1870. Is it not the duty of the officers of the market to keep the pathways clear?—Undoubtedly; and that has been done since the appointment, some six or eight months ago, of the gentleman who is now the clerk of the market.

1871. Do I correctly understand, from the paper which you have put in, that these casual venders are placed in a better position now than they were in before, while the salesmen are in a worse position?—No, I do not wish to imply that.

1872. (*Mr. Charrington.*) I think you stated, some time ago, that the quantity of water-borne fish increases; does the quantity of land-borne fish also increase; do the total supplies of the market increase?—Yes; and they would increase very much more were it not for the excessive railway rates. We should have fish in large quantities from many parts of Ireland; we should also have mackerel, especially from Cornwall; but owing to the excessive railway rates they are unable to send them so far, because the price realised does not pay for the cost of sending. We are

in great hopes that if we could get the Railway Rates Bill passed, the consignments of the commoner kinds of fish to Billingsgate would materially increase, which would assist the costermonger and the poorer people of this great metropolis.

1873. (*Mr. Childers.*) You said, if I understood you correctly, that there was great competition to obtain the privilege of becoming a salesman in the market?—Yes, there is competition; I do not know that I used the word "great."

1874. Is any fee paid in the first instance for the privilege?—No, none.

1875. Then how is the selection between the competitors made?—I think it depends very much upon priority of application.

1876. (*Mr. Charrington.*) While there is this competition for stalls, it is not likely, I should think, that the Corporation would reduce the rent of them; if they can let them readily, why should they reduce the rent?—That is a very potent argument, I must say.

The witness withdrew.

Mr. CHARLES EDWARD LE POER TRENCH examined.

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Le Poer
Trench.

1877. (*Chairman.*) We understand that you are the clerk and superintendent of Billingsgate Market?—Yes.

1878. And that you have been instructed by the Corporation to attend before this Commission?—I have been instructed to attend and to give all the information I can.

1879. How long have you held your present position?—Since the 1st of July 1887.

1880. Only a few months?—That is all.

1881. By whom were you appointed?—By the Court of Common Council.

1882. We need hardly ask you where the market is situated; but could you tell us what its area is?—39,000 square feet. I can produce a plan of the market (*producing a plan*). That plan shows all the standings. These are shops along the side (*describing the plan*). The yellow colour ought to show where the bommarees, the retail men are, but it is not quite correct.

1883. (*Mr. Harwood.*) The bommaree is not a retail dealer, is he?—Yes, he is a large retailer.

1884. He is an intermediary; he breaks the parcel?—Yes, he does; he will sell a pair of soles or a single fish to anybody. You might say that he is a wholesale-retail man.

1885. (*Chairman.*) These places set apart on each side are for the large dealers?—Yes, those are shops let on lease. The rents of those places, as my evidence will show afterwards, are received at Guildhall direct. I collect the rents for the stalls.

1886. Will you describe the nature of the market, and the manner in which the business is conducted?—It is entirely a fish market, for the sale of every description of fish, both salt and fresh water inclusive, shell fish of all kinds, and salted fish when in season.

1887. The fish is brought, we understand, both by water and by land?—Yes, it comes in both ways, and I have divided my evidence in that way. Water-borne fish is caught mainly in the North Sea, and is collected from the various fishing fleets by steam vessels known as steam carriers, which deliver at the quay or wharf at Billingsgate. The fish is packed in loose ice in boxes which are technically known in the market as "trunks"; what is technically known as "a box" is a larger description of package. Those trunks contain, on an average, about 90 lbs. of fish. These boxes are taken from the vessels by porters licensed by the Corporation, and placed upon the forms provided for the purpose in the market, which are rented by the various fish-carrying companies. At the present time the whole of the water-borne fish, or the principal part of it (because some comes in small boats, and things of that kind from vessels) is carried by five fish-carrying

companies,—the Grimsby Ice Company, the Great Northern Steam Fishing and Ice Company, the Steam Fishing and Ice Company of Hull, the North Sea Trawling Company (that is, Mr. Burdett-Coutts' Company), and the Great Yarmouth Steam Carrying Company. The whole of this fish brought by those companies is disposed of by auction by the companies themselves. I have known 9,500 trunks, representing about 380 tons of fish, brought into the market and sold in this manner between 6 o'clock and 9.30 in the morning. The greatest quantity known to be delivered in that way in a morning is between 12,000 and 13,000 trunks. The land-borne fish is that fish which is caught all round the coast of Great Britain and Ireland. This fish is collected at the various seaports and despatched to London by train to the various railway depôts. All the railway companies having termini in London bring fish, but the greater bulk arrives by the Great Northern, the London and North-Western, the Great Eastern, and the Great Western railways. That from the western coast arrives by the Great Western railway and the London and South Western railway. The fish from the south coast arrives by the Brighton, the South Eastern, the London, Chatham, and Dover, and the South Western railways. It is conveyed from the railway depôts to Billingsgate by railway vans, and other carrying companies. The greater part of this fish is in trunks, similar to the water-borne fish, but other fish are packed in cases, barrels, pads, and kits, and different articles. A large quantity arrives in what are known as machines; these are immense boxes, containing about two tons of fish each, loose, packed in ice, which, when filled, are conveyed by railway trucks to London, and then placed on trollies for conveyance to the market. Cod fish, plaice, and haddocks, arrive chiefly in these machines. The land-borne fish also includes salmon, trout, and river fish. During certain seasons of the year a very large quantity of herrings arrives from Norway and Sweden. The mode in which the land-borne fish is disposed of varies, sometimes by auction, at other times by private sale. The land-borne fish is sold chiefly by commission salesmen, to whom it is consigned. The customers at the market are the ordinary retail fishmongers and the costermongers, who form a very important class of buyers, and buy chiefly the water-borne fish at auctions; and by this means the eastern and poorer parts of London are supplied with fish at very cheap rates. On days when fish is cheap, I should say that 1,000 costermongers buy at the market, and take away various quantities, from 1 trunk to 10 cwt., the cheaper class of fish, herrings, haddocks, plaice, &c. There is very little prime bought by them. When fish is dear, this class of buyers deals in other commodities,

vegetables, fruit, &c.; but even on these days there are a few buyers of fish, say 100 or so, of these costermongers; and I have ascertained that very few of these men have regular beats, and that they travel wherever they think they can find custom. Large quantities of fish are sent by the salesmen direct to their country customers.

1888. We have heard something about dried fish; will you tell us about that?—There is a special part of the market set apart for the dried haddock trade, wholesale and retail. The tenants in this part of the market are themselves large buyers from the different companies, and take the fish from the market to their own places for curing or smoking, and then bring them back to the market for sale as dried fish. One man alone frequently buys over 200 trunks at a time for this purpose.

1889. We have just heard a complaint from another witness that when fish was taken away in that manner and brought back again, toll was charged on each occasion; is it within your knowledge that that is so?—That is incorrect. There is no toll whatever levied on this fish which is brought into the market a second time. There is also accommodation in the basement of the market for shell fish boiling at very low rates. This scale of charges has been in operation for some time. The charges are for lobsters and crabs per score 6d.; per boil 1s. 6d.; winkles and whelks per bushel 4d.; per boil 1s.; mussels per peck 4d.; per bag 8d.; shrimps scalding per gallon 1d.

1890. Can you give us the total tonnage of fish brought into the market during the last five years?—Yes. In 1883 there were 119,670 tons brought in; in 1884, 126,009 tons, showing an increase of 6,339 tons; in 1885, 136,629 tons, showing an increase of 10,620 tons on the previous year; in 1886, 125,440 tons, showing a decrease of 11,189 tons on the previous year; in 1887, 137,029 tons, showing an increase again of 11,589 tons. The increase in five years amounted to 17,359 tons, or nearly 15 per cent.

1891. (*Mr. Charrington.*) Can any explanation be given of that great decrease in 1886?—I think I can throw a little light upon it. Hewett's Company used to come to Billingsgate before 1886; they left the market in that year, brought out a company, and set up a market at Shadwell, which you no doubt know. I daresay that had something to do with it.

1892. It was not that there was bad fishing that year?—It might have been bad weather that influenced it to some extent, but certainly Hewett's leaving the market did influence that decrease.

1893. But since then it has recovered?—Yes, it recovered the next year.

1894. (*Sir James Corry.*) Has Hewett gone back from Shadwell?—No, he is down at Shadwell still.

1895. (*Chairman.*) Can you tell us what the tolls charged in Billingsgate market are?—The toll there on vans with four wheels is 2s. 6d. (it does not matter what they carry); on carts with two wheels 1s. 6d.; on row boats 9d. each; on vessels under five tons 2s.; under 10 tons 4s.; that is between 5 and 10 tons; on vessels of 10 tons and under 20, 8s.; of 20 tons and under 35, 14s.; of 35 tons and under 50, 20s.; of 50 tons and under 75 tons, 30s.; of 75 tons and under 100 tons, 40s.; and for every ton over 100 tons, 6d.

1896. (*Sir James Corry.*) Is that registered tonnage or carrying weight tonnage?—Registered tonnage; not what they carry. Then there is a toll of 1d. per cwt. on fish not coming by vehicle or boat, that is to say, fish that is carried in from shops. A good deal of fish comes up from Shadwell occasionally, and we charge 1d. a cwt. for that fish.

1897. (*Chairman.*) What are the rentals, and what do they include?—The rents charged vary from 6d. to 9d. per square foot, and include the use of standing, gas, and water. This refers to the stands in the open market. The shops are let on lease, and the rents collected or received by the Chamberlain. I have nothing to do with that.

1898. But I presume that they are included in the profits of the market?—In the total profits that are published by the Chamberlain, they are. I think, roughly speaking, that they amount to nearly 6,000l. a year.

1899. Can you tell us in what ratio the tolls stand to the prices of the commodities sold in the market?—The tolls, being a fixed amount, and the prices naturally fluctuating, I have taken the average of prices for 1887, which are as follows: Salmon, 5l. 14s. per cwt.; eels, 4l. 4s. per cwt.; prime fish, which include turbot, soles, and brill, 3l. 5s. 4d.; other kinds of fish, such as skate, ray, and roker, 9s. 8d.; and haddocks, 9s. 4d. per cwt. As practically the whole of the fish arrives either in vessels or vans, in order to arrive at the toll per cwt., I have taken the average amount per month of the fish brought into the market for 1887, and the toll charged thereon, which is as follows: For water-borne fish, the average weight per month is 4,722 tons, and the toll is 240l. This gives a toll per cwt. of $\frac{1}{4}$ ths of a penny. For land-borne fish, the average weight per month is 6,562 tons, and the toll 308l. This gives a toll per cwt. of $\frac{1}{4}$ ths of a penny. A toll of $\frac{1}{4}$ ths of a penny upon one cwt. of salmon at 5l. 14s. per cwt. is $\frac{1}{112}$ ths, or .000045 of the value of the commodity. A toll of $\frac{1}{4}$ ths of a penny upon one cwt. of eels at 4l. 4s. per cwt. is $\frac{1}{112}$ ths, or .000062 of the value of the commodity. A toll of $\frac{1}{4}$ ths of a penny upon one cwt. of prime fish at 3l. 5s. 4d. per cwt. is $\frac{1}{112}$ ths, or .00008 of the value of the commodity. A toll of $\frac{1}{4}$ ths of a penny on other kinds of fish and haddocks at, say 9s. 6d. (I have taken the average of the two), is $\frac{1}{112}$ th, or .00523 of the value of the commodity. If you take the haddock, they seem to bear the higher toll, they are the poor man's food; but still it is a very small portion, and it would be impossible to separate the tolls because all this fish arrives in the vans indiscriminately, and it would be impossible to separate the kinds of fish and to toll each kind of fish in the van.

1900. (*Mr. Charrington.*) In fact it is the same toll on all kinds of fish?—Yes, exactly. 5l. worth of haddocks would be a great deal more in weight than 5l. worth of salmon.

1901. (*Chairman.*) But, according to your figures, in no case does the toll exceed $\frac{1}{112}$ th of the value of the commodity?—No.

1902. That is a practically inappreciable charge?—It amounts to very little.

1903. Have you any official returns as to the prices?—I return a monthly official statement to the Board of Trade of the prices and the weight of water-borne fish, and the approximate weight of land-borne fish. The prices of land-borne fish cannot be obtained, because it is impossible, as I have already said, to ascertain the proportion of the different classes of fish in the vans.

1904. How do you arrive at the figures that you give us?—As regards the water-borne fish, I get information from the different steam carrying companies for making my Board of Trade returns. As to the land-borne fish, the weight is approximate, and is calculated upon the assumption that each van averages three tons and each machine two tons. The number of vans and machines are of course shown in the toll-book, and the toll is what has been actually collected; and I think it is a very good assumption as to the weight of the fish that comes by the vans, because the toll is on the vans alone, and I see very few that are not actually full, and we know that they will carry three tons.

1905. From whence are all the supplies for the market drawn?—They come from all parts of the coast of Great Britain and Ireland, Holland, Norway, and Sweden. A small portion comes over from France occasionally.

1906. What districts are supplied from the market?—All parts of England. A good deal is sent to Paris; every day a quantity of fish goes to Paris; whether for consumption there or for distribution, I

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cannot say, but as the quantity sent is considerable, I think it must be distributed.

1907. What are the market days?—All days of the week, except Sundays. On the latter day there is a small market for shrimps only, but there are no tolls levied or collected. In fact, I do not attend on those days at all; the market constable attends, and he sees that order is kept; but that is only from eight to one o'clock.

1908. Which are the busiest days of the week?—Mondays and Fridays. On Fridays the Jews buy large quantities of fish.

1909. Have you had any complaints with reference to the market?—The only complaint that I have had is about the want of room. In fact, I am pestered with applications for more room in the market, and I believe if it were double the size it would let. Whenever a stand becomes vacant there are 60 or 80 applications for it.

1910. Have you heard of any objection being made to the rentals and the tolls?—I have, but I have not paid any attention to it, because there is the fact that if a stand becomes vacant there are 60 or 70 applications for it immediately. I know that there is sub-letting in the market, and that these salesmen sometimes sub-let part of their stands. That is allowed by the Corporation, to a certain extent, but I have good reason to believe, although I cannot prove, that what they charge for sub-letting is in excess of the rent that they pay themselves. I should report it to the Corporation if I found that such a thing occurred.

1911. You say that the fact of there always being competition for these stands is evidence that the rents are not too high; but is there not a strict monopoly in the case?—There is no monopoly, because there is another market. There is Shadwell Market, where the people can take stands, but they will not go there.

1912. How far off is Shadwell Market?—It is not, I suppose, above a mile-and-a-half further down.

1913. And you say that there is no demand for accommodation there?—No. A quantity of fish comes up from Shadwell to be sold in our market.

1914. (*Mr. Childers.*) You say that the only competition is at Shadwell Market?—There is the Central Fish Market, but that is a retail market.

1915. What are the rights of the Corporation as to excluding competition; can they prevent another market being formed in the neighbourhood of Billingsgate?—I think so; I do not know what provision is made in the Act, but I fancy that they can.

1916. Do you know within what distance they can prevent the formation of another market?—I do not.

1917. But it is a practical monopoly?—In that immediate district, I think it is.

1918. Therefore the payments which are made are not governed by the ordinary laws of supply and demand, but are governed by monopoly considerations?—Upon the marketable value of a thing—what it is really worth.

1919. I was referring to the payments for stands?—If you could put these things up to auction, I believe they would fetch a great deal more than they are placed at now by the Corporation.

1920. That is exactly what I meant,—that there is an actual monopoly which would have a value?—Yes.

1921. Would you tell the Commission how you decide between the 60 or 70 applicants for a vacant stand?—It is done by the Billingsgate and Leadenhall Markets sub-committee.

1922. Upon what principles do they decide?—If a man had applied for a stand for a long time he would have the preference.

1923. It is practically by priority of application?—Yes, all the applications are recorded. They go direct to the Town Clerk at the Guildhall, and every time there is a stand vacant the applications are read out, and it is found that a certain man has applied so many times. Then the gentlemen on the sub-committee

attend at the market, and they say, "Well, how often has so-and-so applied?" and then generally the man who has been longest on the list, if he is of good character, gets the stand, but their decision requires confirmation by the Grand Markets Committee.

1924. Must he be a citizen?—No, anybody may get a stand.

1925. And there is no payment ever made for the privilege besides his annual payment?—No.

1926. There is no fee of any sort?—No.

1927. I do not mean an improper payment?—There is no other payment whatever, to my knowledge.

1928. Do you know anything about the finance of the market, of which we heard a good deal from the last witness?—No, I do not; I simply collect the tolls and rents. I bank every day the money that I collect, and return an account weekly to the Chamberlain.

1929. You have nothing to do with the expenditure?—Nothing, except with the repairs of the market. There are certain bills, of course, connected with the repairs of the market which come through me, and I have to certify for them, and they are sent up to Guildhall to be paid by warrants through the Chamberlain's office.

1930. They are a very small part of the 17,000*l.* to 20,000*l.* a year?—Very small.

1931. (*Mr. Charrington.*) Is fish exported to any other foreign country but France?—I do not think so.

1932. (*Mr. Harwood.*) Is it your opinion that a great deal more fish would come if you had lower rates on the railways?—There are certainly great complaints about the railway rates.

1933. You say that it is a monopoly, but from the evidence that we have had I should rather judge that it differs from other monopolies, because it seems to be a limited monopoly. I believe some time ago you had a trial as to the disturbance of your market, and you alleged that persons came and sold in the streets adjoining. In other markets, at Covent Garden for instance, they collect rents and tolls in the streets off the market, but you do not collect toll except in the immediate vicinity of the market?—We collect tolls from the vans that are bringing fish into the market, and from those only. The vans that go to the shops in Lower Thames Street and the immediate vicinity we do not collect tolls from.

1934. That is to say, if a company of fishermen from the North Sea choose to send their fish into a shop or warehouse adjoining your market, they do not pay toll?—They do not.

1935. So that a rival market might be set up, and you could not interfere with it?—That is in the shops. I am not quite sure, but I think there is some clause in the Act under which the market was established that no market should be built in the vicinity.

1936. Have you a great number of people employed in the market on behalf of the Corporation?—No, not very many. There are myself, four clerks, four labourers, an engineer and stoker, and lift man. I pay about 32*l.* to 35*l.* per week in wages and disbursements.

1937. (*Sir James Corry.*) In estimating the quantity of sea-borne fish, you take, as I see, the registered tonnage of the ships?—Not in calculating the quantity; in collecting the tolls we do. That is provided by the different carrying companies. In the case of every steamer that comes in I get the number of packages on board of her, and calculate the weight in that way. The toll is paid on the registered tonnage, but the weight of water-borne fish is calculated from the actual weight as near as I can get at it from the number of packages, and taking 85 lbs. or 90 lbs. as the average weight of a package.

1938. Can you tell us whether the Shadwell Market has been found to be a success or not?—I do not think it has.

1939. Is not Mr. Hewett a very large dealer in fish himself?—He owns a large fleet. He has been bringing considerable quantities. There were 1,900

trunks at his market this morning, but they do not have many buyers, and a great deal of it is bought by salesmen and brought up to Billingsgate Market and sold there.

1940. And it pays dues at two markets?—Yes, it would in that way. The dues amount to 1*d.* per cwt. at our market; I do not know what the dues are down at Shadwell.

1941. Do you consider that there is sufficient accommodation for the trade at Billingsgate?—I do not.

1942. Is your wharfrage accommodation sufficient?—At present it is. We can moor the five vessels from the five companies now with ease.

The witness withdrew.

Mr. WILLIAM HANMAN examined.

1946. (*Chairman.*) We understand that you are clerk of the London Central Fish Market?—I am.

1947. And you have been instructed by the Corporation to attend and give information; is that so?—Yes.

1948. How long have you been clerk of the market?—Since its opening.

1949. How long ago is that?—It was opened on the 10th of May 1883.

1950. By whom were you appointed?—By the Markets Committee of the Corporation of the City of London.

1951. Can you tell us exactly where the market is situated?—In Farringdon Street, bounded on one side by Charterhouse Street, and on the other side by what is known as the New Southern roadway.

1952. Does it adjoin the Central Meat Market?—Yes.

1952*a*. Can you tell us the area?—Sixty-one thousand feet super.

1953. Will you describe the nature of the market, and the manner in which its business is conducted?—It is a retail market for the sale of fish. The business is transacted entirely by salesmen, who are tenants of shops or stands.

1954. What are the tolls charged?—One penny per cwt., or any fraction of a cwt.; vans 2*s.* 6*d.* each; and carts 1*s.* 6*d.* each, irrespective of load.

1955. Does that charge of 2*s.* 6*d.* for vans and 1*s.* 6*d.* for carts include the load?—That covers the whole charge, irrespective of load.

1956. Then the 1*d.* per cwt. or fraction of a cwt. is upon goods that do not come in vans or carts?—They come to the outside of the market, and are brought in by hand or by hand conveyance.

1957. What are the rentals, and what do they include?—The rents of both shops and stands in all cases are calculated at the rate of 2*d.* per week per foot superficial. The shops include a ground floor, first and second floor, with lavatory and necessary conveniences. Tenants provide their own lights. The shops vary considerably in size, but this does not affect the basis of calculation for the rent. Stands also vary in size. The Corporation simply let the bare area of each stand, the tenant providing his own stall and the Corporation providing light.

1958. That is in the case of the stands?—Yes.

1959. Do the shops provide their own lights?—They do.

1960. What have been the receipts from tolls?—In 1884 they were 245*l.* 12*s.*; in 1885, 202*l.* 6*s.* 6*d.*; in 1886, 168*l.* 1*s.* 10*s.*; and in 1887, 165*l.* 6*s.* 2*d.*

1961. That shows a decrease, comparing the year 1887 with the year 1884?—Yes, of about 32 per cent.

1962. In what ratio do the tolls stand to the prices of the commodities sold in the market?—I find that the average price of prime fish, including salmon, turbot, brill, &c., may be taken at about 5*l.* 12*s.* per cwt., the toll upon which being 1*d.*, gives $\frac{1}{13\frac{1}{4}}$ th, or $\frac{1}{13\frac{1}{4}}$ th, as the ratio which the toll bears to the commodity.

1943. Can they come there at all states of the tide?—At all times of the tide. When I say at all times, at very low spring tides they might have to wait just about half an hour; but they can always come near enough for a barge to put in between, as they do sometimes.

1944. So far as your evidence goes, it appears that the toll charged at Billingsgate is infinitesimal compared with the value of the fish?—It is; it would not affect the consumer in any way.

1945. And you have nothing to do with the accounts?—Only the collection of accounts; I have nothing to do with the financing.

1963. What do you take the value of a cwt. of coarse fish to be?—The value of 1 cwt. of coarse fish, such as cod, conger, haddock, eel, &c., may be taken at an average of 1*l.* per cwt., and this, with a toll of 1*d.*, would give $\frac{1}{13\frac{1}{4}}$ th, or $\frac{1}{13\frac{1}{4}}$ th as the ratio which the toll bears to the commodity.

1964. Have you any official returns as to prices?—The current prices for each day are taken by an official of the market, and are published in the daily newspapers.

1965. From whence are the supplies for the market drawn?—From all parts of the coast, and from Billingsgate Market and Shadwell Market.

1966. What districts are supplied from the market?—The provinces and the whole metropolitan area. A large number of customers are business men in the City, who purchase on their road home from business in the afternoon and evening.

1967. Is there any wholesale business done in the market?—No, it is entirely retail.

1968. And as I understand, to some extent it is supplied by the fishermen direct, and to some extent by the other fish markets?—Principally shell-fish comes direct. The chief supply comes from Billingsgate or Shadwell.

1969. What are the market days?—Every day in the year, except Good Friday, Christmas Day, and Sundays.

1970. On what days in the week is there most business?—On Thursday, Friday, and Saturday.

1971. Have you had any complaints with reference to the market?—Not from the public. The tenants complain of a scarcity of customers.

1972. Do they complain of the rentals?—Not at all. There is a new market now being constructed and near its completion. The present fish market will be then used as a vegetable market.

1973. Do you mean that the market is to be rebuilt in a new place?—There is a market now being built as a fish market, immediately opposite, and only separated by a road. The present trade of the fish market will be taken to that market, and the site of the present fish market used as a fruit, vegetable, and general market.

1974. (*Mr. Charrington.*) In consequence of the scarcity of customers, do you get much fish spoilt there?—No.

1975. How do you obviate that?—The salesmen learn to buy according to the demand.

1976. (*Sir James Corry.*) I suppose one of the causes of the decrease in the tolls is the want of customers?—That is it.

1977. Is it chiefly in the afternoon that the sales in that market take place?—Chiefly in the evening for the benefit of the general public. The general public come in the evening time after 6 o'clock.

1978. Not as at Billingsgate, in the morning?—No; that is all wholesale trade, to supply shopkeepers.

1979. Are not shopkeepers supplied from your market at all?—Very rarely; it is simply in truth wholly and solely a retail market.

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1980. (*Mr. Little.*) You say that the current prices are taken by an official, and not by yourself; do you know how he gets at the prices?—He takes it from the board and also from the salesmen. He inquires from the salesmen what prices they make.

1981. You say that he takes it from the board; what board do you mean?—From the stallboard, from the prices marked upon the fish. The fish is generally ticketed.

1982. And when you go into the shop it is often dearer than the ticket indicates, is it not?—No, not as a rule.

1983. (*Mr. Childers.*) What is about the yearly rent of the stalls?—They range from 15s. to 52s. or 53s. per week.

1984. What is the total amount of rental?—About 2,500l.

1985. Very much more than the tolls?—Yes; but the market being in a transition state, I may say that it is not fair to take that as a figure.

1986. But two or three years ago that would have been the amount?—About that. The average for the last four years is about 2,500l. The last year's rental was 1,945l.

1987. (*Chairman.*) Now we pass to another matter. You are also the clerk and collector of Farringdon Fruit and Vegetable Market, are you not?—Yes.

1988. And you have been so, I understand, for some 13 years?—Yes.

1989. By whom were you appointed?—By the Markets Committee of the Corporation of the City of London.

1990. We understand that the market is situated in Farringdon Street; is it adjoining the fish market of which you have spoken?—No; some little distance from it on the other side of the Holborn Viaduct.

1991. This is the fruit and vegetable market of which you have been speaking?—Yes, the Farringdon Fruit and Vegetable Market.

1992. What is its area?—66,000 feet super.

1993. Will you describe the nature of the market, and tell us how the business is conducted?—It is a market for the sale of vegetables, fruit, and flowers. The principal portion of the business is done by salesmen, who rent premises in the market, and by market gardeners who reside within a radius of 30 miles of London, and who occupy casual stands. There are also growers who come with produce very long distances, even as far as from Yorkshire. There are also what are known in the trade as higglers, who purchase from the growers or market gardeners, and sell again semi-wholesale to small buyers.

1994. What do you mean by "semi-wholesale"?—They will divide a package, and sell half a package. A wholesale dealer would not divide his packages, but a higgler would buy from him, and he would sell a customer a portion of the package, of course, at a slightly advanced price.

1995. What are the tolls charged?—For a waggon, or waggon stand, 1s.; for a cart, 9d.; for a pitching stand, 6d.; oranges, per chest, 4d.; per box, 2d.; potatoes, 2d. per sack; vegetables, per sack or basket, 1d.; per sieve, $\frac{1}{2}$ d.; for watercress, per hamper, 2d.; per pad, 1d.; for holly or evergreens, for every waggon or waggon-stand, 2s.; and for a cart or pitching stand, 1s. Persons who pay rent pay no toll whatever upon any goods entering the market.

1996. What are these sieves of vegetables that you mentioned?—A "sieve" is supposed to contain half a bushel; it is a trade term.

1997. What are the "pads"?—A "pad" contains about half the quantity that a hamper contains; but this is a varying amount. A hamper sometimes contains as much as 2 cwt. and as little as $\frac{1}{2}$ cwt. Then in addition to the accommodation given to tenants, there are men employed by the Corporation who put the waggons into their positions for the people bringing them, without any charge whatever. At other markets, I believe the charge is about 1s. a load for putting the van into position.

1998. What are the rentals, and what do they include?—The shops and stands vary very much in size, and their value is somewhat affected by their position in the market. I will endeavour to convey to you by the following figures a fair idea of the average rentals. In all cases the measurements are per foot superficial. The two principal shops contain an area of 182 feet each. With each shop there is a covered stand, 84 feet and a vault 410 feet, for a weekly rental of 23s., or 1d. or $1\frac{1}{3}$ d. per foot per week for ground area, exclusive of the vault. Other shops are 396 feet, with a covered stand 84 feet, and vault 410 feet, at a weekly rental of 22s. 6d., or $\frac{1}{2}$ d. per foot per week for ground area, exclusive of vault. There are others containing 210 feet at a rental of 6s. per week, or $\frac{1}{2}$ d. per foot weekly. Then there are covered stands, 100 feet, at 6s. per week in the best positions, and 4s. 6d. per week in others, or $\frac{1}{2}$ d. and $\frac{3}{4}$ d. per week respectively. The stands in the centre of the market contain 190 feet, and are let at 5s. per week each, or $\frac{1}{2}$ d. per foot per week. A waggon paying 1s. is entitled to occupy a pitching stand in addition, or a total area of 260 feet, or $\frac{3}{4}$ d. per foot per day. Pitching stands contain 100 feet, for a charge of 6d. per day, or $\frac{3}{4}$ d. per foot per day.

1999. What have been the receipts from tolls during the last five years?—In 1883, 694l. 10s. 9d.; in 1884, 653l. 7s. 6d.; in 1885, 578l. 0s. 11d.; in 1886, 522l. 1s. 7d.; and in 1887, 507l. 14s.

2000. Showing a decrease?—Yes, of about 26 per cent.

2001. Can you explain the causes of the decrease?—A great many new markets have sprung up in the metropolis. There is a new market at the Midland Railway Station now (or, rather, it is a depot; it is not a market), where a great quantity of goods are sold. I may say that the rental has slightly decreased.

2002. (*Mr. Childers.*) How much is it?—About 1,500l. last year. The average for the last five years is 1,538l.

2003. (*Chairman.*) Is it possible for you to tell us in what ratio the tolls stand to the prices of the commodities sold in the market?—In the absence of any official return as to prices, together with the value of the goods varying so much from day to day, it would be impossible to give other than a misleading comparison in answer to that question. As an instance, I have known goods to make 1s. 8d. per score on a Wednesday, and on the following Monday, the very same articles could not realise 2d. per score. I have also known vegetables to fetch from 4s. to 4s. 6d. per bushel at one time, which at another time would not realise 4d. per bushel.

2004. (*Chairman.*) You do not think, therefore, that it is possible to make out an average for the year?—It would be impossible.

2005. From whence are the supplies for this market drawn?—From all parts of the world.

2006. What districts does it supply?—Principally an area of 20 miles in and about London, in addition to many provincial towns, especially north country towns during the fruit season.

2007. Is the market wholesale?—Both wholesale and retail.

2008. What are the market days?—The market is open for business on every day except Sundays; but Mondays, Wednesdays, and Fridays are the recognised market days, and are the busiest days.

2009. Have you had any complaints with reference to the market?—I have had now and again complaints as to its approaches, situation, and construction; but the Corporation are now rearranging the Central Markets at Smithfield, so as to provide for the transfer there of this market.

2010. (*Mr. Childers.*) Do you collect the rentals?—They are collected by my chief clerk.

2011. And the tolls?—And the tolls.

2012. Do you pay any expenses?—I pay the working expenses of the market for wages simply.

2013. Do you know what the net income of the market is after paying expenses?—I do not.

2014. You know nothing about what may be called the finance of the market?—I do not. That would be answered by the Chamberlain.

2015. (*Mr. Harwood.*) I think it would be important for us to get the income of the market, if you can give it to us?—I should not like to state it from memory, but I can supply it afterwards. The Chamberlain would be able to give you that information.

2016. A former witness gave us 5*l.* 14*s.* per cwt. as the wholesale price for salmon, and you speak of 5*l.* 12*s.* per cwt. as the retail price; how do you account for the difference?—In my prime fish I include three or four other kinds of fish. The 5*l.* 14*s.* is a quotation for salmon alone. It is a group of prime fish that I have been speaking of, and not simply of salmon. If I quoted salmon alone, I might possibly be able to put that at 1*s.* 6*d.* a lb. the year through.

2017. (*Chairman.*) We understand that you are also the clerk of the Smithfield Hay Market?—I am.

2018. And you have been so for nine years?—I have.

2019. By whom were you appointed?—By the Markets Committee of the Corporation of the City of London.

2020. And you have been instructed, we understand by the Corporation to attend here and give evidence as regards this market also?—I have.

2021. Where is the market situated?—In West Smithfield in the City of London.

2022. What is its area?—Its area is not limited. It is held in the streets around Smithfield. There is no map of the market in existence, but I have a plan (*producing it*). It is held in that space where the old live cattle market was. There is no defined area to the market. We use the streets as we require the space.

2023. Is the market exclusively for the sale of hay and straw?—Yes.

2024. And by wholesale?—Yes.

2025. How is the business conducted?—By salesmen entirely, who sell principally upon commission.

2026. What are the tolls charged?—6*d.* per load upon hay; no toll is charged for straw, but 1*d.* is charged for entering the sale of both hay and straw.

2027. In addition to the toll?—In addition to the toll.

2028. What is done if the hay is not sold?—In that case no toll whatever is charged upon it.

2029. If it is brought there and taken away unsold, no toll is charged upon it?—No toll whatever.

2030. I presume there are no rentals?—There are no rentals whatever.

2031. Are there any stands?—The carts simply take up positions one against the other and make their own stands.

2032. In short the market is held in the streets?—In the public streets.

2033. What have been the receipts from tolls during the last five years?—In 1883 they were 201*l.* 7*s.* 6*d.*; in 1884, 171*l.* 17*s.*; in 1885, 162*l.* 13*s.* 6*d.*; in 1886, 145*l.* 9*s.*; and in 1887, 134*l.* 4*s.* 6*d.*

2034. Showing a decrease of about 33 per cent.?—Yes, that is in consequence of so much trade now being done at the various railway termini in London. A great deal of the hay and straw trade is conducted at the railway termini.

2035. In what ratio do the tolls stand to the prices of the commodities sold in the market?—The prices vary very considerably; but I find that a fair average for a load of hay of 36 trusses, taking the year through, would be about 85*s.*; and the toll being 6*d.*, with 1*d.* for entry per load, would give about $\frac{1}{100}$ ths or .00686, as the ratio which the toll bears to the price of the commodity.

2036. What would you take a load of straw at?—At about 35*s.*

2037. You have told us that there is no charge for straw, except 1*d.* for entry?—That is so, which gives $\frac{1}{400}$ th or .00238, as the ratio which the charge bears to the price of the commodity.

2038. Have you any official returns as to the prices?—Yes.

2039. And from those, I presume, you have taken the statement which you give us?—I have.

2040. From whence are the supplies for the market drawn?—From all parts of Great Britain, and frequently from abroad.

2041. What districts does the market supply?—Principally the Metropolitan area.

2042. Is the market entirely wholesale?—Entirely.

2043. What are the market days?—Tuesday, Thursday, and Saturday.

2044. And those, I presume, are the days upon which business is done?—Those are the only days on which business is done.

2045. Have you had any complaints with reference to the market?—None.

2046. Does the Corporation provide any accommodation of any kind for people attending the market?—No.

2047. Therefore, however small the charge may be, nothing is given in return for it?—Nothing at all; neither is there in Cumberland Market nor in Whitechapel Market. Those are the three hay markets in London, and there is no accommodation whatever given there.

2048. (*Mr. Little.*) You say that there is a charge of 1*d.* for entering the sale of hay and straw; that entry is the record of the transaction, is it?—That is the record of the transaction.

2049. Then it is there for reference?—It is there for reference. The entry contains the name of the person to whom the goods are consigned, whom they are sold by, whom they belong to, to whom they are sold, the residence of the person buying, and the price realised. It is the same in the other hay markets.

2050. Do you happen to know whether any of these sales in your market represent sales of larger quantities, that is to say, that a man produces a load of hay and sells it, and then bargains for the sale of a larger quantity?—He sells a whole rick by one load. All hay markets are the same in that respect, whether they belong to the Corporation or whether they are private markets.

2050a. (*Chairman.*) They all become sample markets?—Yes, frequently a whole rick is sold by one load

The witness withdrew.

Adjourned to to-morrow at 12 o'clock.

Mr.
W. Hanman
—
23 Feb. 1888.

At No. 32, Abingdon Street, Westminster.

NINTH DAY.

Friday, 24th February 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART., M.P.
MR. CHARLES I. ELTON, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. JOHN J. HARWOOD.
MR. WILLIAM C. LITTLE.

MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. FREDERICK C. BROWNFIELD examined.

Mr. F. C.
Brownfield.

24 Feb. 1888.

2051. (*Chairman*.) You hold an office in connexion with the Shadwell Fish Market, do you not?—Yes; I am market clerk, and I have been secretary of the company since its formation.

2052. When was the company formed?—In 1883.

2053. Was it formed under Parliamentary powers?—Under Parliamentary powers by a private Act of 1882.

2054. Will you tell us why powers were sought to establish that market?—They were primarily sought in order to supply the accommodation, which was admittedly inadequate at Billingsgate Market as a waterside market. The question, according to my information, arose as far back as 1868, when the Corporation of London had under consideration the necessity of providing additional accommodation at Billingsgate, and they advertised for sites suitable for a new market. The Surveyor of the Limehouse District Board of Works on that advertisement reported to his Board the advantages of the river-side site at Shadwell which he considered was a natural site for a fish market. His suggestion was approved by his Board, and a petition was presented by that Board to the Court of Common Council, asking that body to adopt that site; but no action was taken by the Court of Common Council. The Corporation in 1871 applied to Parliament and obtained power to enlarge Billingsgate and the works were completed in 1877 at an expense of nearly 300,000*l*. In 1880 Mr. Spencer Walpole, the Inspector of Fisheries, in accordance with the instructions of the Secretary of State for the Home Department, after taking much evidence made a report on the destruction of fish at Billingsgate in consequence of the alleged inadequate accommodation at that place. This report was sent to the Corporation who in the same year appointed a Special Committee to consider the very unsatisfactory state of the accommodation at Billingsgate. The Special Committee held a public inquiry and examined many witnesses. They reported that the railway rates among other things operated prejudicially against the supply at Billingsgate, that the approaches to the market were insufficient; that the area of the market was totally insufficient; that one wholesale market was required, and that the market should be at the water side; and that Billingsgate would be desirable for a waterside market, provided that the site of the Custom House could be acquired or the wharves adjoining could be obtained for the purpose of accommodating the vans and carts attending the market. After much discussion the Corporation determined to ask Parliament for power to construct an inland fish market, which was not in accordance with the need declared to exist by Mr. Spencer Walpole, and the building of the Central Fish Market was the outcome of that, leaving the question of improving Billingsgate quite in abeyance. In 1881 the Metropolitan Board of Works had, at the instigation of the Home Secretary, taken up the question of the fish-market accommodation of the metropolis.

The Board decided that the Billingsgate Market was inadequate, and that the deficiency of market accommodation had a bad effect in limiting the supply and increasing the charges on the fish. The Metropolitan Board of Works also gave evidence that the authority given to the Corporation by Charter in the reign of Edward III. was out of date, and was against the interests both of the fishing people and of the inhabitants of the metropolis. The advantages of the Shadwell site, and the necessity of providing additional fish-market accommodation, were pressed upon the attention of the Metropolitan Board of Works; but the committee to which the matter had been referred recommended them to approve a site in Blackfriars Road, between Southwark Street and Park Street (which was inland again) for a fish market, at an estimated cost of about 830,000*l*. This report was received by the Board, who took no further steps in the matter. Many important meetings were held in the East End about this time, and in consequence of the adverse decision of the Corporation and of the Metropolitan Board of Works the question arose as to some one quite independent taking up the matter and forming a public fish market. Mr. Hewett, the managing director of Hewett and Company, which is the biggest fishing company in the world, and who own the largest fleets, entered very warmly into the question, and stated that he was prepared to go to Parliament to obtain powers for a new market, stating at that time that everything was so bad at Billingsgate that it simply operated prejudicially against both the supply and the demand. He went to Parliament for powers, and a Bill and plans were accordingly prepared and duly deposited to construct this fish market at Shadwell, with proper and sufficient accommodation and approaches in every way. The Bill was read a second time in the House of Commons on the 20th of February 1882.

2055. Was there any opposition?—Yes, very strong opposition.

2056. On the part of whom?—Of the Corporation. That was the only opposition I may say.

2057. Was this an entirely private company, unconnected with any public or municipal body?—Quite so.

2058. In fact it may be said that the fish trade themselves took up the matter?—Yes, the largest company in the fish trade took it up, and petitions were presented by thousands of fishermen and costermongers and buyers generally. The Bill was referred to a Select Committee of the House of Commons, of which Mr. W. H. Gladstone was Chairman, and the Bill was before the Committee eight days, from the 15th to the 24th of March 1882, in consequence of the active opposition of the Corporation of the City of London. The preamble was declared to be proved, and the Bill was read a third time on the 17th of April 1882. The Bill was read a second time in the House of Lords, on May the 2nd, and referred to a

Select Committee, which sat on the 15th, 16th, 19th, and 20th of June, when the Chairman stated that the preamble of the Bill was proved; but that if the Corporation wished to bring forward a clause, giving the Corporation compulsory powers of purchase of the new market, the committee would be willing to consider it. In the result, two clauses were inserted in the Bill, one giving full compensation to the Corporation for all loss and injury which they might sustain, by reason of the establishment and continuation of the market at Shadwell, and the other giving power to the Corporation, within six months of the passing of the Act upon payment of the taxed costs incurred by the promoters in obtaining the same, to have transferred to them all the powers of the Act. The Bill was read a third time, and passed on June the 29th. The Bill was sent down to the House of Commons, and on Monday, the 10th of July, the Lords' amendments thereto were taken into consideration. They were disagreed to by the House of Commons, without a division. On Friday, July the 14th, the Bill again came before the House of Lords for the consideration of the amendments to which the House of Commons had disagreed. Their lordships agreed, without a division, not to insist on the amendments, and the Bill received the Royal Assent on the 24th day of July 1882. Seventeen petitions from the vestries and local authorities in the Metropolis, including the Metropolitan Board of Works, were presented to the House of Commons, praying that the House would not agree to the clauses inserted by the House of Lords, for compulsory powers of purchase by the Corporation, who, up to that time, had done very little, of course, to improve the accommodation at Billingsgate. After the autumn recess the company was formed, and a prospectus issued by the directors.

2059. Was there any difficulty in obtaining the capital?—At first there was, but a large sum was subscribed in the East of London, though not sufficient to warrant the directors in going to allotment. An attempt was afterwards made to obtain the necessary funds; an influential board of directors was formed, principally of men, I may say, connected with the East End of London all their lives, a sufficient capital was subscribed, and the directors went to allotment. The plans and specifications of the market building were prepared, and the contract was given to Messrs. Mowlem and Company, the Duke of Westminster taking great interest in the whole concern from its commencement; in fact he drove the first pile of the market, and the market was opened for business on the 9th of November 1885.

2060. We understand that a second Act of Parliament was necessary?—The second Act of Parliament was simply for powers for an extension of time. The first Act of Parliament imposed a limit of time, and we went to Parliament for a second Act, in order to obtain an extension of those powers. That was only a small Act.

2061. What is the amount of capital with which the company started?—87,000*l*.

2062. Where is the market situate?—The market itself is situated about a mile and a half below London Bridge, in a bend of the river, out of the action of the tide, well suited for vessels to lie in whilst discharging their cargoes. The frontage of the market to the river is 224 feet, which is greatly in excess of the frontage at Billingsgate; and the ground area is 22,000 feet, which is also in excess of the accommodation at Billingsgate. The market area defined by our Act of Parliament consists of four acres and a half against the Billingsgate market within the "our walls; they have no market area defined.

2063. How is this four and a half acres appropriated if the actual space occupied by the market is only 22,000 feet?—That is the covered space for the salesmen; but it is also necessary in a market in order to provide any decent accommodation at all to have a certain amount of paved space for standing room for vans and buyers and railway vans which now of course so far as we are concerned are all within our market

area and not in the public streets at all. At Billingsgate of course the standing room is in Lower Thames Street.

2064. Then you have no occasion to use the open streets at all for your market purposes?—Not at all.

2065. I think you are prepared to explain why your company consider that the market affords more conveniences than other existing markets?—Yes. We say that the market is more convenient to everybody concerned, and in the first place to the steamboat companies bringing fish to London. We are a mile and a half lower down the river than Billingsgate thereby escaping the very difficult navigation of the Upper Pool where a tremendous lot of damage occurs every year. This is not improved by the works of the Tower Bridge, at present in progress, and we have heard only last week of one or two complaints of very heavy damage being done there. So that it is not only a question of time saved to the steamers, but it is also a question of lessening the risk of damage. In the second place the railway companies without exception have given us in reply to questions information that they would infinitely prefer delivering any quantity of fish to Shadwell rather than to Billingsgate, for the reason that at Shadwell there is plenty of room for their vans to stand without causing any complaint, and that when the vans are unloaded they can get away again immediately. That is not the case at Billingsgate. Sometimes they are blocked there, even after being unloaded and sold, for the space of an hour or two, and it is impossible for a van to get away. In the third place we say that the Shadwell market is more convenient, simply from experience and from what we have learned from the people attending the market, principally costermongers. They say that it is advantageous to them for this reason: they have told me personally that they can get to Shadwell Market at 6 o'clock and buy a load of fish and get to their homes or shops, and they can get back again to Shadwell at 8 o'clock and buy another load. That must of necessity be a matter of importance to those men, and it is certainly a matter of impossibility for them to do that at Billingsgate market. Those are the three points that we wish particularly to bring before the notice of your lordship and the commission.

2066. I presume from what you have stated that the Shadwell Market supplies all the accommodation that is necessary not only now but for any increase of trade that could be reasonably expected?—Quite adequate; in fact at the present moment we are in this position: that Shadwell Market has provided all this accommodation and we are simply awaiting development. Up to about a twelve month ago, as has been the case with other new markets, the very existence of Shadwell Market has been studiously ignored; but latterly it has been more a question of some means being taken to prevent fish coming to Shadwell Market.

2067. We have had it stated by a witness that fish landed at Shadwell is frequently sent to Billingsgate owing to its not being purchased at Shadwell; is that so?—No, I must seriously refute that altogether. I may explain that it does not matter where a waterside market is; even if it were situated at Greenwich the wholesale buyers and the middlemen, whom we call *bommarees* in the trade, would go to Greenwich or anywhere else to buy this prime fish, and they may take it to Billingsgate or anywhere else to sell it again; but it has never happened that it has gone there because it could not be sold in Shadwell Market. It would be sold there first wholesale but no one could control where it would be resold retail. The whole quantity of fish that has ever come to Shadwell Market has met with a ready sale without any necessity for its being condemned, except the most fractional part which has come up in bad condition; but no fish has ever been condemned at Shadwell for want of purchasers. Of course in the case of Billingsgate Market the whole of the fish that is sold there wholesale, or at least the greater part of the prime fish, is re-sold to middlemen,

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Brownfield.

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2068. Can you give us the weight of the fish sold at Shadwell Market in 1887?—Yes; the quantity in 1887 was just upon 17,000 tons, of a value of about 146,000*l.*; and the authorities at Shadwell Market, looking at the fact that this is a new market, consider that as no inconsiderable amount.

2069. You have told us in your answers to the questions that the average annual expenditure during the three years ended in 1887 was about 2,000*l.*?—That is so, and the average receipts, I may say, were about level with that.

2070. You mean that there is no return to the shareholders?—There is no return at present to the shareholders.

2071. What are the tolls and rents charged?—I would submit to the Commission a copy of the schedule of tolls. They are as follows:—For every row-boat with river fish 1*s.* 0*d.*; for every vessel not exceeding 5 tons (measurement), 1*s.* 0*d.*; not exceeding 10 tons, 2*s.* 0*d.*; not exceeding 20 tons, 4*s.* 0*d.*; not exceeding 30 tons, 7*s.* 0*d.*; not exceeding 50 tons, 10*s.* 0*d.*; not exceeding 75 tons, 15*s.* 0*d.*; not exceeding 100 tons, 20*s.* 0*d.*; exceeding 100 tons, then for every ton and part of a ton, 3*d.* On vans, carts, and other vehicles laden with fish, if they have two wheels the toll is 1*s.* 0*d.* each; exceeding two wheels, 2*s.* 0*d.* each. The stallages to be charged in the market are at a rate calculated on the superficial area of each stall or standing, not exceeding 6*d.* per foot per week. They are the maximum tolls that are allowed by our Act of Parliament, but at the present time they are not charged to that extent. For instance, the maximum rental allowed to be charged is 6*d.* per foot, but the charge now being made is 4*d.* per foot.

2072. Are the tolls and rents lower or higher than in Billingsgate Fish Market?—Much lower. I cannot speak from my own knowledge as to the exact rents and tolls being charged now, but they were about half those charged at Billingsgate at the time they were framed.

2073. (*Mr. Childers.*) Would you be good enough to state why it was necessary to go to Parliament; was it in order to obtain compulsory powers?—Yes, to obtain power to establish this market, because we were opposed strongly by the Corporation of the City of London.

2074. Did you interfere with the privileges of the Corporation?—Yes, probably we did.

2075. And you went to Parliament to obtain power in that respect?—We went first of all to obtain power to establish this market which would probably interfere with the Corporation when established.

2076. That does not quite answer my question. Why was it necessary to get Parliamentary powers to establish a market?—Simply because the accommodation at Billingsgate was totally insufficient.

2077. But why was it necessary to get power from Parliament to do it; have you not, like any other trade, power to establish a market without going to Parliament unless you interfere with existing rights?—There was a right of the Corporation by the charter of Edward III.

2078. That charter of Edward III. was held to include Shadwell?—Yes, quite so; they said that no one could establish a market within a certain distance, and that Shadwell was within that distance.

2079. What was the distance?—I cannot tell exactly.

2080. How far are you from Billingsgate?—A mile and a half down the river.

2081. And you do not know how far the Corporation's charter is held to extend?—No, except that I know it is a great deal further than that. They are within 10 miles, I think.

2082. (*Mr. Elton.*) Was it not 7 miles?—I was under the impression that it was 10 miles.

2083. (*Mr. Childers.*) At any rate you had to go to Parliament to get power to override the old charter?—Quite so.

2084. Was it also necessary for you to get compulsory power to take land?—It was.

2085. And those two were the reasons?—Those were the reasons.

2086. (*Mr. Little.*) What accommodation do you give in return for this rent of 4*d.* per foot of standing room as compared with that given at Billingsgate?—It is simply providing standing room for the sale of any quantity of fish that may come.

2087. Do you provide no stalls or counters?—They may erect stalls.

2088. But you do not find them?—No.

2089. Do you supply water and gas?—Yes.

2090. You provide similar accommodation to that which is provided at Billingsgate?—Precisely.

2091. And the same sorts of fish, I suppose, come to Shadwell, and in about the same proportions as to Billingsgate?—Yes, exactly the same from the North Sea, and all round the coast.

2092. (*Mr. Childers.*) Did the Corporation claim compensation?—Yes.

2093. And did they get it?—No.

2094. (*Mr. Harwood.*) You said that one of the principal reasons why another market was required, was that there was a great destruction of fish in Billingsgate; could you tell us how that destruction of fish arose?—The principal reason was, the difficulty of getting fish in and out of Billingsgate Market, and the frequent utter impossibility of getting it into Billingsgate Market. The place was simply glutted, and Messrs. Hewett and Co., who were the largest carriers who took the fish there, stated on oath that it was utterly impossible to get the fish into Billingsgate Market, and that when it was got into Billingsgate Market they could not get it out again. Consequently the trade was stifled. That was Mr. Hewett's evidence.

2095. Then when the London Corporation set up their plea of interruption of the market or a rival market, it was held by the authorities that the Charter of Edward III. was obsolete?—Quite so.

2096. And that was sanctioned by Parliament?—It was sanctioned by both Houses of Parliament.

2097. And they got nothing for their interruption?—Nothing.

2098. (*Mr. Little.*) Who held that it was obsolete? It was argued that it was obsolete, but it was not declared, was it?—I take it that the House must have held it.

2099. (*Mr. Childers.*) By giving no compensation?—By allowing the London Riverside Fish Market Company's Bill to pass without compensation. It was opposed by the Corporation for some time very actively in Committee, and this latest decision which has been given, as to tolls being levied at all in Lower Thames Street by the Corporation, touches of course the authorities at Shadwell Market. Tolls have been so levied up to the present, but Justices Stephen and Wills in their decision on the 26th July 1887, stated that the Corporation had no power at all to levy tolls in Lower Thames Street it being a public street, and they having no market area defined.

2100. (*Mr. Charrington.*) Are you aware what is the proportion of condemned fish at Shadwell and at Billingsgate respectively?—I do not know that that has been worked out. The quantity of our fish last year was 16,653 tons, and the total quantity condemned was about seven tons.

2101. (*Mr. Elton.*) In your first answer about Billingsgate you seemed to count Lower Thames Street as being part of the market area, or as being used as such?—I do not do so, the Corporation do.

2102. But you said that the standing place for Billingsgate Market (or something to that effect) is Lower Thames Street?—Quite so.

2103. Since then you have referred to a recent decision, which did not seem to relate to using it for standing but only as to charging tolls?—Besides that, it is expressed in the decision that it is simply a market being held in a public street, which is against all law.

2104. Is it your opinion that it is against all laws?—Quite so.

2105. But markets are held in the public streets in most towns in England, are they not?—That is not within my experience. I say that Shadwell Market has been provided exactly to find that accommodation which has not been found before.

2106. You did not mean to express that it was against the law?—No.

2107. Who was it that you said studiously ignored Shadwell Market till lately?—The principal salesmen in Billingsgate Market I take it.

2108. Do you suppose that they would be interested in the Corporation rights?—I cannot say that.

2109. Or was it that it was a new market, and they took some time to take to it?—It is not altogether that. There has always been tremendous opposition whenever the question of a new market has been mentioned. They hold that one market only is essential as a wholesale market. Of course I am not in a position to say, but I suppose it is a question of property held probably in Lower Thames Street. It may be naturally from interested motives.

2110. It is almost natural in the case of a market that there should be an opposition to the setting up of a rival market very close to it; that is a question which always arises, is it not, on the establishing of a new market?—Perhaps so; I cannot say, because this is the first waterside market which has been established in London in opposition to Billingsgate.

2111. But you, having experience in founding a market, would be aware that there must be an inquiry whenever a market is set up very close to an existing market, as to whether it is too close, without necessarily raising any of these questions of obsolescence of rights or of their being conferred by Royal Charter?—Quite so.

2112. Then it would be necessary, without there being any great peculiarity about the Corporation rights, for an inquiry to be held whether this market was too near an existing market?—Quite so.

2113. And that without any reference to compensation?—Yes.

2114. So that the inquiry may have done some good, even though no compensation was given?—Quite so.

2115. This market, I understand (which I have no doubt is a very good one from what you have said), is within a very small distance of Billingsgate Market?—Within a mile and a half.

2116. Is that a very small distance?—I should say that it was.

2117. I do not want to ask hypothetical questions, but I take it that the sum of what you have been saying is that in the case of any existing fish market, whether it had been founded by an ancient King or not, there must have been an inquiry as to whether it would be wise to set up another market within a mile and a half; and that would of course all turn upon the question whether that market satisfied the requirements and wants of the trade?—It was proved that it did not do so.

2118. I was meaning by my question to lead to the conclusion that it was a practical business question, and not an antiquarian question, about obsolete rights or charters or anything of that kind?—Quite so.

2119. The area of the market goes to the stream; does the market area go below high water mark; does it take in any of the river?—No, simply to the front of the market.

2120. Clause 11 of the byelaws provides that, "The master of any vessel lying in the stream, though not moored alongside the market, laden with fish, and from which vessel fish is delivered or sold within the market area, shall be liable to the tolls of the market." What is the exact meaning of the words "fish sold within the market area"? Supposing that the fish is sold on a fishing vessel, that is, outside the market area, would that make it liable to toll?—I should say that if she came alongside the market, if

she was moored alongside the market or the next vessel, she would be liable to toll.

2121. But I understand that if it is just outside the area, and they buy on the ship, then they would not be liable to toll if the sale is completed; that is to say, if you sell and I buy, and you deliver me a herring, or whatever the process might be, then you would not be liable to the tolls?—The fish on the vessel must come into the market. It would not be unloaded from the ship and sold into the river; that never is so. That is the interpretation that I should put upon it.

2122. That may be so, but it seemed as if it said the opposite, and I wished to make sure whether it was that if sold in the market area it pays toll, and if sold outside it does not?—I should say that if any fish was sold from the stream before it came into the market it would not pay toll.

2122*a*. Clause 25 is:—"No fish shall be brought within the market area other than by vessels, vans, carts, or other vehicles, except with the special consent of the clerk of the market." Is that against porters' trucks and barrows, and that sort of thing, being used, or what is the object of confining it to vessels, vans, carts, and other vehicles, and what sort of vehicles are intended? The reason why I am asking the question is, to ascertain whether any class of persons with wheelbarrows and that sort of thing are forbidden by that clause to bring fish into the market area?—No, I do not know of any.

2122*b*. It seems as if it was confining fish carrying to the owners of a particular class of vehicle; would it exclude small trucks and costermongers' trolleys, and that sort of thing?—No, I do not myself know what is the importance of that.

2123. Do you know of any occasion on which the clerk of the market has given special consent to any other sort of vehicle being admitted?—Not yet.

2124. (*Mr. Harwood.*) When you spoke of the inquiry which you said was held as to this market, and as to the charter of Edward III. being obsolete, were you then intending to give us your general and special knowledge as to what distance one market must be from another, before it became a rival market?—No.

2125. Or were you telling us your experience and knowledge in connexion with this specific market and no other?—Yes, that is what I should wish to tell you.

2126. You are not a specialist in this matter?—Not at all.

2127. And you do not know what might be the case if another rival market were set up?—No. My instructions are to give the Commission every possible information, and by that means to bring to their notice the fact of the establishment of a market affording every facility that is possible for any amount of trade, and doing away with that want of accommodation which now exists, and always has existed, at Billingsgate Market.

2128. What is your opinion about free markets?—I think that I am only expressing the ideas of the authorities of Shadwell Market when I say that their great endeavour will be to remove to the utmost all tolls upon fish coming into the market, their feeling being that no tax whatever if possible should exist upon fish coming in. Therefore, so soon as Shadwell Market may be in a position to pay its working expenses and interest on the money employed, I believe that the authorities of the market would be anxious to do away with any tolls whatever. The expenses of course would have to be paid if the market were owned by any local authority.

2129. (*Chairman.*) Including of course a fair return upon the capital?—Including interest upon the capital employed.

2130. Is there anything further you wish to add?—I would point out the ratio borne by the tolls charged to the value of the fish brought into the market last year. The amount of tolls altogether was 450*l.* upon 147,445*l.* worth of fish, which would mean a toll of $\frac{3}{4}$ *d.* on every pound's value, or 6*s.* 3*d.* per cent.; so that at the present moment the tolls are reduced very

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low in comparison with other markets. The question of the market being held at all in the public street can hardly by any possibility ever arise at Shadwell Market for this reason: that besides the $4\frac{1}{2}$ acres which have been devoted as the area for the market, the Fish Market Company is in possession of 5 acres freehold land besides that, which could be added if necessary to the market area.

2131. Therefore there is room for any conceivable increase of traffic?—There is room for any possible increase we take it that may happen; and $4\frac{1}{2}$ acres of open space is much more than they have now at Billingsgate Market. I would point out that nearly the whole of the arguments used by Mr. Bradlaugh, in moving for this Royal Commission, have been really answered by the authorities at Shadwell Market; and they look upon this Royal Commission as affording a very favourable opportunity for this question to be

made more public, because to a certain extent that has not been the case.

2132. To what question do you refer?—To the question about an additional market. The public are not sufficiently informed as to the fact of a market of this extent being already established. Of course, so far as benefiting the senders of fish is concerned, it is a difficult matter to obtain the fish from them, because they are not altogether free agents in the matter. Fishermen cannot send their fish to any market they please. That, of course, is in consequence of mortgages being on their smacks and money lent. I suppose that would hold anywhere.

2132a. Is there any through traffic?—I might mention that there is no through traffic past Shadwell Market. The nearest thoroughfare is High Street, Shadwell, and this four and a half acres of market area is all below that, nearer the river.

The witness withdrew.

Mr. E. Rider
Cook.

Mr. E. RIDER COOK examined.

2133. (Chairman.) You are chairman, I understand, of the Shadwell Fish Market Company?—I am.

2134. We have heard from the secretary the circumstances under which that company was formed, and we need not go into that alone, unless you have any matter that you wish specially to bring before us?—I have nothing at all that I wish specially to bring before the Commission on that point.

2135. We have understood from the secretary that the Shadwell Market was established on account of Billingsgate Market being found insufficient for the increase of the traffic; you confirm that?—Yes, perfectly.

2136. We have had it also stated that the Act of Parliament, creating this company, was opposed by the Corporation of London; that the opposition was overcome, and that no compensation was granted for the loss of that monopoly; is that so?—That is so. The opposition of the Corporation, I may say, was a very strenuous one indeed. It was defeated in the House of Commons in the first instance, and then they obtained a clause, in the House of Lords, which we felt to be exceedingly prejudicial. It went back to the House of Commons, where again it was fought by the Corporation, and eventually the obnoxious clause was removed.

2137. Do you confirm what has been stated, that there is ample room at Shadwell for any possible increase of traffic?—Ample room. We have something like 8 acres of land; and at the present time we do not trench at all upon the public highways, the whole of the business of the market being done within the area of the market property.

2138. How are your tolls as compared with Billingsgate?—The tolls are fixed by a schedule to the Act of Parliament, and at the present time we are taking about one half of those tolls; that is to say, I believe, that the tolls in our schedule are less than the tolls at Billingsgate, and, as a matter of practice, we are charging one half of the tolls that we have power to charge.

2139. It has been stated here that fish have been brought to Shadwell, and taken away from Shadwell again, because of the impossibility of finding purchasers; have you ever known that to occur?—Never. I will not say that fish has not been taken from Shadwell to Billingsgate, but it has simply been because there were buyers at Billingsgate, who did not get what they wanted at Billingsgate, and who came down to Shadwell to supply their requirements; but it has never been because the fish has not been sold at Shadwell. I might, perhaps, be allowed to add that I have been living in the East of London the whole of my life, and that I can distinctly observe that the establishment of the Shadwell Fish Market has created a number of additional fish

shops, where common fish, such as plaice and haddock, is sold very largely amongst the poor; and I have an opinion, amounting almost to a conviction, that we have largely increased, by the establishment of the fish market, the consumption of fish amongst the poor people in the East of London. I may say that the whole of the Directors, with myself, look upon this matter more as a philanthropic scheme than as a commercial enterprise. I would not say that we have no hopes in the future of receiving some reward for what we are doing, but at present we are working entirely without pay or remuneration of any kind; and I do not think that I know of any Board of directors where the attendance is more regular, and attention better given than by the gentlemen who compose our Board, who are doing it purely without remuneration of any kind.

2140. Are you paying your shareholders anything at present?—No, up to the present time we have not paid them anything.

2141. Do you think that what you have done has had any effect in lowering the price of common fish?—Certainly, in bringing it into the homes of the people, and I fancy that it has had the effect of lowering the price to the consumer, by doing away with the middleman. The costermongers come to Shadwell with their barrows and carts, and buy two or three trunks of fish; they go at once into the lanes and narrow streets, and sell the fish; and owing to the facilities of getting to and from Shadwell, it is not at all an uncommon thing for the same men, having sold one barrow-full of fish before breakfast, to come back again at 8 or half-past 8 or 9 o'clock and get a second barrow-full. I believe the effect of that has been that while the price realised by the fishermen has been quite as good at Shadwell as it is at Billingsgate, the consumer gets his fish direct from the costermonger, who buys it under the hammer at Shadwell, at a much lower price than when it goes through the intermediate hands.

2142. (Mr. Elton.) I think the secretary did not tell us what was the nature, generally speaking, of the prejudicial and obnoxious clause which the House of Lords put in and the House of Commons threw out; what was it directed to?—I would rather not speak from memory as to that, but I will send the particulars of it in writing, if I may be allowed to do so. I merely referred to it in this connexion in order to show the great fight that we had to go through.

2143. Was it obnoxious from the point of view of the interests of the Shadwell Company?—I was not one of the promoters of the Bill, and my knowledge has been acquired since; but my impression is that the clause was to give the Corporation some control, in some way or other, over the market which the promoters thought would be obnoxious to their interests.

2144. It seemed to me to be a little strong to accept the epithet "obnoxious" without knowing to

whom it was obnoxious?—I shall be perfectly willing to supply the Commission with the full particulars of the clauses. I am merely dealing with it in order to show the expense to which we were put in establishing our market.

2145. With regard to the increase of the fish shops among the poor, we are happy to hear that the consumption is increasing. May I ask whether it is among the English poor or among the foreign poor? I should say amongst all the poor. I go through the High Street at Bow every day and, since the establishment of the market, in Bow and in Stratford, where there are not many foreign poor, where the inhabitants are mainly English and Irish, I have observed, one after another, little shops selling fish; and as at the present time most of the fish that comes to Shadwell comes in Messrs. Hewett's steamers, I have been enabled to identify the fish by seeing boxes outside the shops with the word "Hewett" printed on them; therefore I knew that those people who were opening a new fish shop were getting the fish from Shadwell Market.

2146. That explains what I was going to ask; it is fresh fish, and not fried fish?—It is fresh fish. I cannot trace the dried fish or the smoked fish, or the fried fish, because the dealers in those articles do not expose the fish outside in the same way that the others do.

2147. The Jewish population is increasing in the parts of which you speak in the East End, is it not?—Not quite so far east as Bow and Stratford, the district that I am more familiar with. In White-hapel and St. George's-in-the-East I should say that the Jewish population is increasing rapidly.

2148. (*Mr. Charrington.*) And in Mile End also?—And in Mile End also.

2149. (*Mr. Elton.*) The point of my question was whether the increase of the fish shops corresponded to the increase of the Jewish population there, or whether there was a new development of the fish trade among the poor English population?—My impression is that there is a new development of the fish trade among the poorer English.

2150. (*Chairman.*) How is the fish sold at Shadwell?—The whole of the fish at Shadwell is sold under the hammer, there is no private dealing at all; so that if a dealer at Billingsgate or at the Central Fish Market wants a particular kind of fish he can come and buy it at Shadwell in the open market. Nobody knows who he is, and he puts his money down and takes the fish away. If he wishes to take it away for re-sale he does so.

2151. (*Mr. Harwood.*) Then there are no salesmen purely as such at Shadwell, but the fish is all sold by auction?—It is all sold by auction. There are salesmen who buy it by auction and then sell it again, but the whole of the fish as it comes out of the steamers goes on to an inclined way with little rollers; it runs down to a table and is there sold, and the cash paid by the buyer; and then it is carried away and put into trucks or carts or barrows.

2152. (*Sir James Corry.*) Do you find the trade increasing?—The trade is increasing in this respect: that the number of buyers of fish is continually increasing, that is to say, there are new men coming day by day to the market. The trade is not increasing absolutely, because we are entirely dependent upon Messrs. Hewett for the water-borne fish. The only fish that comes to the market by water comes by their steamers, and the quantity cannot increase until somebody else brings some more fish; but we are perfectly certain that if there were three times the amount of fish brought there it would be sold.

2153. Are we to understand that Mr. Hewett is the only one who brings fish to the market by water?—Yes.

2154. Has he not a large fleet of steamers?—Yes, a large fleet. He brought between 16,000 and 17,000 tons of fish to the market last year; that is an average of about 300 tons a week which is sold there. I may say that we do get other fish. One of my colleagues,

Mr. Hart, and myself, seeing that there were no salesmen to receive land carried fish, have started a little firm on our own account as Cook, Hart, and Company, and we receive fish on consignment from the coast by railways, which we also sell under the hammer in exactly the same way. We had yesterday nine railway vans of fish consigned to us from Grimsby, which shows that there is a desire on the part of owners of fish on the coast to get a market other than Billingsgate market.

2155. (*Mr. Little.*) Can you tell us the reason why Mr. Hewett is the only person who sends sea-borne fish to Shadwell market?—That involves a little of the history of the market altogether. Mr. Hewett, as a large bringer of fish to London, found that he was very much handicapped at Billingsgate by what is commonly called the Billingsgate Ring, and that he very often was unable to sell his fish, and he was one of the promoters of the Shadwell Market. When the company was formed they naturally wished to have some certainty, and they made an agreement with Mr. Hewett that the whole of his fish was to come to Shadwell when the market was constructed. The agreement that the company have with Mr. Hewett is that for 40 years he shall not take fish anywhere except to Shadwell. So that the establishment of the Market was an act of hostility to Billingsgate, and we were dependent upon Mr. Hewett in the first instance. The people connected with Billingsgate Market naturally resent the establishment of the Shadwell Market and are endeavouring to do all that they can to prevent our being a success, and they will not do anything they can to help us by bringing fish to us.

2156. By the agreement that you have with Mr. Hewett to send his fish to you, are you bound to refuse the fish of any other person?—Not at all. We are anxious to get all the fish we can.

2157. By whom is the inspection of the fish made?—By the local authority.

2158. Not by the Fishmongers' Company?—I should not like to answer that question. I know the inspection is by the local authority. I am not quite certain whether the Fishmongers' Company send an inspector down.

2159. (*Mr. Childers.*) Putting the water-borne and the land-borne fish together, about what is your present tonnage?—About 300 tons a week.

2160. That is between 15,000 and 16,000 tons a year?—It is rather over 16,000 tons, it is about 17,000 tons.

2161. So that you have reached practically now about one-seventh or one-eighth of the whole tonnage of Billingsgate?—Yes, that is so.

2162. And you are increasing steadily though slowly?—I can hardly say that we are increasing. We are slightly increasing, but it is not enough to speak of as an increase. If our little firm of Cook, Hart, and Company get three or four tons a day, it really does not mount up to much at the end of the year; but we are increasing the number of people sending fish to the market through establishing a second business there.

2163. Speaking in quite general terms, is your accommodation sufficient for two, or three, or four times as much business as you do now?—Our present accommodation is sufficient for four times as much, and by pulling down property which is our own, and which is let mainly on weekly and yearly tenancies, we could double our present accommodation without any difficulty at all without applying to Parliament.

2164. But with your present accommodation unchanged you could accommodate half the business at Billingsgate?—Yes, quite; we could accommodate the whole of the business of Billingsgate, because we have a much larger area than Billingsgate.

2165. Without adding to the structural accommodation?—Yes, quite so.

2166. Do you know the grounds upon which the Corporation opposed your Bill?—Simply to support a monopoly, I take it. They claimed a monopoly in fish

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something like Sir Julian Goldsmid claims in the case of vegetables.

2167. That was the technical and legal ground; but the practical ground I suppose was, that they afforded sufficient accommodation?—I suppose that would be so. They got a *locus standi* I expect before the Houses of Parliament on the ground that they claimed to have this market monopoly.

2168. But in the evidence which they adduced, do you remember whether they argued that there was sufficient accommodation afforded by themselves?—I would rather not speak on that matter, because at that time I was not connected with the promoters of the market. The promoters of the Bill having got their Bill, sought someone to form the market company, and to take an interest in that, and they applied to me and to my friend Mr. Charrington and to others, to form a Board to work the Act, which they had obtained; and therefore, without refreshing my memory with the records of what took place, I should not like to give any positive evidence as to the proceedings before the Houses of Parliament.

2169. All that you know of it is from conversation?—Yes, and I have always taken a very great deal of interest in market questions. When I had the honour of representing North-west Ham, I went largely into the question of the establishment of the Stratford Vegetable Market there by the Great Eastern Company, and the question of the interference by Sir Julian Goldsmid with the establishment of the market at Stratford. I had to go into that matter closely on behalf of the stall-holders of the Stratford Market, and having always occupied somewhat of a public position in the East of London, I have taken a great deal of interest in the markets question, and therefore I was led by that interest rather than from any idea whatever of making any money out of the Shadwell Market, to take up the Act when other people had obtained it.

2170. From what experience you have, both generally and specifically, are you in favour of the establishment of markets being an open right to anybody?—Decidedly. My feeling about a market is that a market is for the benefit of the masses of the people, and that if anybody wished to open a market no one ought to have a right to prevent his doing so.

2171. In your opinion the ancient idea of its being good policy to give market monopolies is out of date?—That seems to me to be so, certainly in the interests of the poor. I was born and have been bred amongst the poor people of the east of London, and I know the struggle that they have to live, and I do not think that anything ought to interfere with their getting food in the cheapest possible way.

2172. It might be I suppose that markets would be established which did not pay, and which involved considerable loss to those who promoted them; but you would say, on the other hand, that the advantage of the open market was greater?—Yes, the loss would

be to the people who promoted them if they had not judgment enough.

2173. (Mr. Charrington.) I do not think we had any interference on the part of Sir Julian Goldsmid?—No, but the Billingsgate Market claimed an analogous right over fish to that which Sir Julian Goldsmid claims over vegetables.

2174. (Mr. Elton.) Do you know about Sir Julian Goldsmid's claims from personal knowledge?—Yes, I had to go into the question largely when I was representing North-west Ham, where the matter arose.

2175. (Mr. Childers.) On the whole, as a matter of public policy you would distinctly say that all market monopolies ought to be abolished?—I think so, in the interest of the masses of the people. I look upon a market as being only a big shop, and if a man establishes a shop in a neighbourhood where there is no demand for the goods that he offers he has to suffer the loss of making a bad speculation. I should say the same with reference to a market, that if any people or corporation or company choose to establish a market and it does not answer, it simply shows that they had not good judgment in what they were doing, and they must suffer.

2176. Of course in giving that answer you would carefully reserve any question of vested rights?—Yes, they must be dealt with equitably and properly.

2177. But on the abstract question you would think market monopolies as much out of date as old guild privileges?—Quite so; and with regard to vested rights I think that in estimating the old vested rights some inquiry ought to be made into the nature of those rights at the time when they were granted. For instance, speaking of the Spitalfields case, I do not think that anybody ever could have contemplated when those rights were granted that they should extend into another county like Essex from Middlesex, and to a place which then was a very small village some four or five miles away from London across the fields. Yet under the rights which were granted when Spitalfields Market was established, at the present moment there are dues being levied in the borough of West Ham, which is across the River Lea, in Essex, and which now instead of being a little village contains a population of nearly 200,000, many of whom are of the artisan class, and engaged in the enormous factories which there are in that district.

2178. Your remark in that respect only bears upon the question of compensation, and not at all upon the general question of open markets?—Quite so. What I wanted to convey was this: that I think in the interests of the public that right ought to be terminated; and as regards the question of compensation for it; while of course we do not want to take anything that belongs properly to a man away from him, I think that some investigation ought to be made as to what the right was worth when it was originally conferred, and not what it has been made worth by other people.

The witness withdrew.

Mr. ROBERT BALDRY examined.

Mr.
R. Baldry.

2179. (Chairman.) I think you are the clerk and collector of the Metropolitan Cattle Market?—I am.

2180. How long have you held that position?—24 years.

2181. By whom were you appointed?—By the Corporation of London.

2182. And we understand that they have given you instructions to attend here?—They have.

2183. Where is the market situated?—To the north of Islington.

2184. What is its area?—A little over 75 acres.

2185. Of which the market proper consists of how much?—15 acres.

2186. How long is it since the market was opened?—It was opened in June 1855; that was the date of the first entry of cattle.

2187. That was on the abolition of the old Smithfield Market?—It was.

2188. Will you tell us the nature of the market, and the manner in which the business is carried on?—It is a market for the reception of all animals, and business is done in this way: that any person consigning cattle, or wishing to have cattle or animals of any kind sold at the market, communicates with me on the day prior to the market day as to the space that he will require to be allotted to him in the market,

and it is my duty to attend and to allot such place accordingly. They then arrive by the various railways, or from our own lairs, which are in immediate proximity to the market, or from the neighbouring lairs which are licensed for the purpose.

2189. Are there private lairs in the neighbourhood?—There are.

2190. What animals are sold there?—All kinds of beasts, sheep, calves, and pigs, of various grades as to quality.

2191. And horses also?—And horses and donkeys.

2192. At what time in the morning does the market open?—The market opens at three o'clock in the morning for cattle.

2193. What is the time of closing?—Two o'clock, with an hour allowed for clearing, which makes it three o'clock.

2194. What becomes of the animals that are not sold?—They are either sent to neighbouring lairs, or they are placed in our lairs.

2195. What is the accommodation in the market; what number of animals will it hold?—The market fully set will hold 6,600 bullocks and 36,000 sheep; but that is close work.

2196. And the lairs?—The lairs will accommodate about 3,000 head of cattle, and 10,000 sheep.

2197. What is the largest number of beasts that have been in the market on any one day?—I think 38,000 sheep and 10,000 beast.

2198. (*Mr. Little.*) Would that be a Christmas market?—I think it was a Christmas market when there were that number of beasts, but not when that number of sheep were there; I think it was about June in the case of the sheep. We do not have a large supply of sheep as a rule at the Christmas market, but we have a superabundance of beasts.

2199. (*Chairman.*) The Corporation have put up slaughterhouses we understand?—They have, but they do not themselves slaughter.

2200. Are the drovers under the charge of the Corporation?—In the market the drovers are under the control of the clerk of the market.

2201. Are they charged for a license?—They are charged 5s. on their application, and if they are of good character, certified by householders to that effect, they receive a license and badge for that sum.

2202. Is there any limitation to the number?—There is no limitation.

2203. Any man of good character who is willing to pay for his license can get it?—Yes, there is no limit whatever. There were about 870 licensed last year. Formerly, before the numbers were taken away from my market, if I may presume to call it so, to Deptford, there were over 1,000.

2204. Are the animals inspected when they are brought into the market?—They are inspected personally by the inspector, who is appointed for that purpose by the Corporation of London, and subject to the supervision of the Privy Council. In fact, he acts under the orders of the Privy Council so far as the Contagious Diseases (Animals) Act is concerned.

2205. What is that market in connexion with your market which is known as the scrap market?—It is an offshoot of the old Smithfield market. Formerly there used to be what was called a pedlars' market at Smithfield, and when that was removed, they gradually drew on to the Metropolitan Cattle Market, and there they lodged in the roads till such time as the Corporation of London thought that it was right that they should sell their produce, small as it might be, in what is called market overt, that is to say, market proper for selling things; and that came into operation in the year 1867.

2206. Can you put in a table showing the total number of cattle brought into the market during the last 10 years?—Yes (*handing in a table*).

2207. We notice from this table that the number of beasts in the year 1878 was 239,000 and over, and in 1887 only 235,000; can you explain how it is that there has been rather a diminution than an increase?—Yes. Our market has been under a very great ban,

I may say from the restrictions imposed by the Privy Council upon the movement of cattle, which almost paralysed our market for a time, so that our numbers have fallen off considerably. But in 1884, when England was declared by the Privy Council to be free from foot and mouth disease, you will see that we began to look up a little. In 1884 we had 163,000 head of cattle, and when the restrictions were taken off we gradually got on to 192,000 in 1885.

2208. But the numbers are not so high as they were some years ago?—No. It must be remembered that my market was half destroyed by the cattle being taken to Deptford.

2209. That I suppose accounts for the diminution in number of sheep, pigs, and horses?—It does not apply to horses. In certain years I think the market suffered very much from the sheep rot which prevailed in the country districts, and which carried off great numbers of sheep. But in relation to the cattle we have suffered very much since 1867 and 1868 and 1869 down to 1884 from the various diseases of the animals. Heavy restrictions were put upon their movement, and of course that affected the Metropolitan Cattle Market very materially.

2210. Can you tell us what are the tolls charged?—The tolls charged are 6d. per head on bullocks; 1½d. on sheep; 3d. on calves; 1½d. on pigs; 7½d. on horses; and 3d. on donkeys.

2211. In what ratio do those tolls stand to the prices of the animals sold?—That is scarcely calculable in regard to horses and donkeys. But in regard to cattle, I put the average price of a bullock at 18l. in the Metropolitan Cattle Market at the present time. The toll upon that would bear to the present price a ratio of about $\frac{1}{32}$, the total being 6d. Taking the average value of a sheep at 2l. 5s. a toll of 1½d. per head would come to about $\frac{1}{32}$ of the price. With regard to calves, I put the value at 4l. and the toll thereon, which is 3d. a head, will amount to about $\frac{1}{30}$ or so of the price. Our market ever since the disease broke out has not been virtually a pig market, although we have accommodation for pigs, for this reason, that when restrictions came so heavily upon the Metropolitan Cattle Market as they did, the trade was diverted and went to various suburban and district markets; and ever since then we have had but few pigs, and our pigs consist principally of what are called small porkers. I put pigs at 1l. 15s. per head and the toll will amount at 1½d. to about $\frac{1}{38}$ of the price.

2212. Practically in all those cases the toll is quite an inappreciable addition to the value?—It is; there is no tax upon the consumer. I do not think we charge enough to make it pay us; our market is a losing market.

2213. With regard to horses and donkeys, we understand that it is your opinion that the price is so variable that it is impossible to take an average?—Yes, it is so. It is an unimportant item.

2214. Have you any official returns as to the prices?—Yes; I furnish the Agricultural Department of the Privy Council with the market-day prices on Mondays and Thursdays.

2215. How do you obtain your information?—I get that by inquiry in the market from salesmen and from buyers, and I take an average.

2216. Under those circumstances you cannot of course ensure absolute accuracy?—No, it would be impossible for me to do that; but so far as I am able I take an average between the buyer and the seller.

2217. From what countries or districts are the supplies for this market drawn?—From all parts of the United Kingdom, and also at the present time from Canada and from Denmark and Sweden.

2218. From the countries that are not scheduled?—From all the countries that are not scheduled.

2219. And the animals from the scheduled countries, I suppose, go to Deptford?—They do.

2220. What districts are supplied from the market?—That depends a great deal upon the trade. We used to supply the north a good deal, but now trade is

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so bad that we do not, and consignors send direct now to the north instead of sending to us; but, as a rule, we supply all the Midland counties, Staffordshire, Warwickshire, Lancashire, and Yorkshire; and in the autumn we supply the watering places, and also Kent and Surrey, where there is no grazing at that time of the year; and parts of Suffolk we supply.

2221. What are the market days?—Mondays and Thursdays; and Fridays for horses and donkeys and the scrap market.

2222. On what day is the largest amount of business done?—On Mondays. Nearly all the business of the week is done on Mondays.

2223. Have you ever had any complaints with regard either to the tolls or to the management of the market?—Not of the tolls certainly, and I have great pleasure in saying that we have had no complaints in the other respect.

2224. (*Mr. Elton.*) I notice in the table that you were good enough to give his Lordship that there is a gradual diminution throughout the period in the number of horses; can you explain why that is?—Because since the importation of Russian ponies and that kind of animals there has been less demand for what are called "old crocks," to use a very vulgar expression, that used to be sold in the market; and consequently upon that those old crocks have not been in demand, and they have been killed, and these other animals have come in and have virtually taken their places.

2225. With regard to donkeys, there is a strong tendency to increase; how do you account for that?—I cannot account for that particularly. I had not noticed that, but it is so. I think that watering places have made more demand for donkeys, and a greater number of donkeys are required for hawkers, and so forth; to get their living.

2226. Referring to the table about calves, can you explain why in two particular years, 1879 and 1880, the number was so very abnormally large?—I do not know that I could explain that. They fetch up in 1885.

2227. With the exception of a sudden increase in the demand, you can give no explanation of the increase in the number?—I think it has something to do with the rearing of calves for lean stores, but I am not able to give you a specific answer to that question.

2228. With the exception of a sudden rise in the number of calves, the three years, 1878, 1879, and 1880, were three extremely prosperous years for your market, and all about the same prosperity?—Pardon me for saying that they were not prosperous; but they appear to be about similar.

2229. Then it was at the end of 1880, or so, that the change for the worse took place?—Yes, I think the cattle diseases broke out in the years 1865 and 1866, and then very great action was taken by the Privy Council in the years 1875 and 1876, and so it ran on.

2230. But I am asking you whether you can explain the sudden fall in 1881; were there any special regulations or measures in relation to cattle disease that brought that change about in 1881?—Compulsory slaughter came on in the year 1877 and that would be carried on to a certain extent; and that would affect very much the supply in the market.

2231. But there is a considerable change in the number of animals in your market in the year 1881 compared with 1880; I want to know whether you have anything to put before the Commission to account for that?—My only answer to that would be the severe restrictions on the movement of cattle on account of the prevalence of disease. If you shut up country markets you stop our supplies and that was the fact in those years.

2232. (*Mr. Charrington.*) I think your tolls are regulated by Act of Parliament?—They are.

2233. Are those the maximum amounts that you can charge?—They are.

2234. They seem very small?—Yes, they are very small; they are so small that the market does not

pay; in fact I thought we should collapse in those years. We came to a very low amount of beasts indeed.

2235. Previously to 1878, had the market ever done a larger business?—Yes. Deptford affects me very much.

2236. When did the Deptford Market begin?—In 1872. We had prior to that from 240,000 to 300,000 beasts yearly, and now of course we are down to considerably below that. I did not carry this table back to more than 10 years. It is hardly a fair thing for the market, because, prior to that the market was frightfully low in that respect, especially for sheep; but from 1884 to the present period we have been gradually creeping up. It is a very difficult thing in a large market like this when trade is once diverted to bring it back again, and it takes a long time, but it is coming back gradually.

2237. I know it is very difficult to bring trade to a market?—It is so.

2238. (*Sir James Corry.*) Is the want of increase in the number of sheep to be attributed at all to the importation of carcasses of sheep from Australia and New Zealand?—There is no doubt that the increase in the dead meat trade since 1869 or 1870 has been remarkable. Whereas buyers used to come to our market to buy largely they do not do so now, but prefer to go to the dead meat market. At that time the accommodation for the dead meat trade was not sufficient for the trade.

2239. I suppose you are aware that the accommodation now is quite sufficient for it?—Quite so.

2240. Have you ever visited the Dead Meat Stores in Cannon Street?—No, I have not been there.

2241. (*Mr. Charrington.*) There are some very large stores also at the Albert Docks, where those vessels come in?—One cannot look at the importation that we receive from New Zealand of dead meat without seeing that it must affect the live cattle market.

2242. Will you tell the Commission in what respect the market is not paying?—Because our expenses are so heavy. The market cost a great sum of money to build, and it really has not paid the interest on the outlay; and I do not see how it will.

2243. Without putting anything aside for a sinking fund?—You cannot do that. We have not got it. It does not pay, unfortunately.

2244. (*Mr. Little.*) You said that anyone wishing to consign animals applies to you; I suppose you mean anyone wishing to have a stand for selling them. The farmer who consigns does not apply to you, does he?—He does; he applies to me so far as to give me notice of what room he will require. There is no restriction upon anyone coming to sell in the market. Although the trade is carried on by persons calling themselves salesmen who make it their business, anyone can come and sell by himself, but he must let me know what accommodation he requires.

2245. Nothing is charged for standing?—Nothing whatever.

2246. Is any preference given to these salesmen as to the position they occupy?—No, none. Old established salesmen who have been there for years generally have what is called an alley allotted to them, and then they have so many rails allotted to them for the number of cattle that they require. We do not remove them from one side of the market to the other.

2247. As a matter of convenience you allow them to stand in the same place, but there is no preference?—None whatever.

2248. You say that there is a veterinary inspector appointed; is there only one, or does he work by deputies, because it would not be possible for one man to inspect 10,000 cattle?—10,000 is the extreme limit; but the general average of our Monday's market at present is from 2,000 to 3,000.

2249. And the inspection is performed by one man?—Yes. The cattle are tied up to rails, and the inspector goes round at the head of each bullock, and he inspects two at a time.

2250. I gather from you that if this table had extended further back there would have appeared a continual decline, and that the decline in number did not begin in 1880, but that your market had been falling off ever since the cattle plague?—Yes.

2251. And in consequence of the restrictions that were imposed upon the movement of animals that came into your market, have not local markets been established which have interfered with your supply?—Local markets got their numbers increased by the restrictions which were put upon the Metropolitan Cattle Market.

2252. When cattle must be slaughtered immediately after they have been exposed in the market, that very much restricts the operations of a market like this?—Very much indeed; it affected us materially.

2253. With regard to the prices, have you a form of the return that you make to the Board of Trade, and can you give us a blank form?—Yes, I think I can.

2254. You collect that information from buyers?—From buyers and sellers.

2255. Buyers are butchers, and sellers are men selling on commission generally, are they not?—Yes; they are owners as well.

2256. But a large proportion of the animals would be sold by commission agents, would they not?—Yes, I think you may say so.

2257. And you have to estimate the weight of the animal sold, have you not?—No, we do not estimate the weight of the animal sold, but we estimate the quality.

2258. But supposing that an animal is sold for 18*l*. how do you arrive at the price per stone?—That depends upon what the quality is.

2259. Supposing that it is of first, second, or third quality, you must estimate the number of stones that the animal weighs in order to divide the 18*l*. by the number of stones, must you not?—I take the salesman's word first of all, as to what the animal is worth, and what it is worth per stone.

2260. That he has to estimate?—Yes, and so does the buyer, and then the average is the average that I give.

2261. But after all, whether it comes from the buyer or from the seller, or from your own judgment, it is a matter of estimation?—No doubt.

2262. Have you put it to the test occasionally? Cattle are sometimes sold in the market to be killed in the slaughter-houses, and then sold at a price to be paid per stone, are they not?—I do not know about that.

2263. Then it is an estimate?—An 80 stone bullock, which we call a fine weight, if he is well grazed and well up to certain points, will command a much higher price than a bullock of 100 stone.

2264. That is perfectly evident, at least to me. But what I was trying to get you to admit was, that it must be an estimate, good or bad?—No doubt of it.

2265. And should you think that commission agents have an interest in representing the price as high as they can fairly within limits?—That is putting a very home question; but I should think not. I should be very chary of taking his opinion the next market day, if I knew it to be so.

2266. Buyers are butchers, and would you not think that they had an interest when they had bought an animal in representing that it cost them a full price per stone?—Yes; your remarks are very pertinent, I must say.

2267. Then these estimates may be valuable for comparison of one period with another, but they may be above the actual facts at any time?—It may be so, but the actual facts can only be told by the weight on the scale.

2268. Have you weigh-bridges for weighing cattle alive?—Yes, we have.

2269. Those you are bound to supply. How many of them are there?—There is one at present.

2270. Is it used?—No, it has never been asked for.

2271. Have you made any arrangements for recording the weight, if it should be used? Whose duty would it be to weigh it?—My duty, or my agent's.

2272. Should you give a ticket of the weight and retain the counterfoil?—I should.

2273. Have you any instructions from the Corporation how to proceed in that matter?—Yes; anyone desiring to weigh his cattle can have it done.

2274. But are there any instructions as to preserving a record of the weights?—I should do that on my own account.

2275. If cattle are not weighed in your market, do you know of any sales made by a declared live weight?—No, they are so sold in the States, I believe.

2276. And in Scotland, in Edinburgh?—I am not aware of that.

2277. The slaughter-houses are not very much used are they?—They are fully tenanted at the present time.

2278. Could you amplify your statement a little as to the places from which the supplies to the market are drawn? I suppose they come from different parts of the United Kingdom, and you get large supplies from one district at one time of the year, and from another at another time?—Yes.

2279. What is the general course of trade with your supplies?—As to seasons we get the Norfolk supplies from December to June, that is what we call our winter grazing. Then the Irish come next from August to February. All those depend entirely upon how trade is; they may come before that.

2280. And it depends upon the root crop and various other things?—Just so. For Danish cattle the season is from January to June. Then we get the Canadians. When American cattle first came to England the States cattle as well as the Canadians came to the Metropolitan Cattle Market; but afterwards by order of the Privy Council the States cattle were restricted and they went to Deptford, and that reduced the number in our market. The Canadians come from June to November. The Scotch cattle come from December. We are having Scotch cattle now.

2281. You have not a very large supply of Scotch cattle now, have you?—No, they come as dead meat and they have done for many years. Then if you take lambs they come from February to August from the south. Last Monday we had our first consignment of Isle of Wight lambs, which are the first to come. Irish store cattle, which were entirely debarred for years by the restrictions put upon the movement of cattle, have come back, and now they have come for some years since 1884.

2282. Do they come in the autumn?—Yes, but they come all the year round, more or less. They used to come in the autumn, but now they come just according to the prices that they are reported to fetch in the market.

2283. (*Mr. Childers.*) You spoke of the low scale of tolls; did you inherit those from Smithfield, or were the tolls changed by Act of Parliament?—The tolls were increased, I think, in the year 1872, when Deptford Market was opened owing to the necessity of providing the foreign cattle market, which entailed, as of course it would entail, a great loss to the Corporation upon the Metropolitan Market; and therefore it was a good ground for them, I suppose, to ask the Government to give them an increase.

2284. But when Islington succeeded to Smithfield were the old Smithfield tolls retained?—For the time.

2285. So that the tolls in the Smithfield days were even lower than they are now?—Not much, but they were lower.

2286. You say that the tolls are insufficient to meet your expenses?—It appears so; we are always in debt.

2287. Is it your impression that the profits upon other markets are set against the loss upon yours?—It may be so in regard to Deptford. Deptford and our market generally go together.

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2288. But are the Corporation accounts for all the different markets shown together?—I cannot answer that question.

2289. You could not say that the very high profit that we know of in some other markets is considered to be set against the loss upon yours?—I cannot say.

2290. What are your nearest competing cattle markets besides Deptford?—I suppose Southall Market and Romford.

2291. How far off is Romford?—Romford is 14 miles and I think Southall is about 10 or 12 miles away.

2292. Are they large markets?—The next market to ours in the counties would be Norwich. Norwich Market has vastly increased in the last 20 years.

2293. But I am speaking with regard to what we may call the Metropolitan area?—These small markets,

such as Southall and Romford and other places immediately round, were all fed when the restrictions upon the movement of the animals came on to our market.

2294. But compared with the magnitude of Islington, those markets are insignificant, I suppose?—I think so.

2295. Who controls the driving of cattle to and from the market?—The police authority.

2296. The city has nothing to do with that?—No.

2297. The police fix the days?—Yes, and the hours, and routes.

2298. Do they license the drovers?—No, we license the drovers, but they fix the routes outside the market. They fix the hours and days now.

The witness withdrew.

At No. 32, Abingdon Street, Westminster.

TENTH DAY.

Thursday, 1st March 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. THE LORD BALFOUR OF BURLEIGH.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.

SIR JAMES PORTER CORRY, BART., M.P.

SIR THOMAS MARTINEAU.

MR. CHARLES I. ELTON, Q.C., M.P.

MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.

MR. WILLIAM C. LITTLE.

MR. JUSTIN MCCARTHY, M.P.

MR. JAMES ALLANSON PICTON, M.P.

MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. MICHAEL BUTLER examined.

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2299. (*Chairman*.) In a statement which you have put before us you say that you have been connected with Covent Garden for upwards of 30 years?—Yes.

2300. Are you a market tenant?—No.

2301. Have you a shop?—No.

2302. Have you a stand?—No.

2303. Are you a salesman?—No.

2304. Then what is your connexion with the market?—For 21 years I was a porter in Covent Garden, and for 10 years I have been a buyer on commission, for I represent Mr. Mason of Manchester, Mr. Cockerell of Northampton, Mr. Solomon of Piccadilly, and M. Françoise of the flower shop in Regent Street.

2305. You have no stand of your own, but you occasionally hire one, I suppose?—No, but a few years ago the market authorities made me pay for a stand although I simply transferred goods from the auctions, collecting them together preparatory to their going into the country by rail. I never sold anything in Covent Garden.

2306. But you used the market and they would not allow you to do that without paying for a stand?—It was optional. I could have left them on the auctioneer's premises until the time came to send them away by rail; but so that they would not be ill-used or knocked about by other people in getting their own goods away, I collected mine into the stand of a relation of mine in the market who had a stand there at that time.

2307. Then I understand that you do not represent the salesmen or the market tenants in general?—I am perfectly independent of all parties.

2308. You are not here to speak for anyone except yourself?—If I may say so, I speak as one of the public for the public; I have no interest whatever.

2309. You have put before us a statement that in the last 20 years the rents have been considerably increased?—Yes.

2310. You have no special personal knowledge of that, I suppose; you take it from hearsay?—It is from the tenants' own lips. But I would ask your Lordship not to press me to give names, because if I did, it would be rather a bad time for some of those tenants with the Duke of Bedford's agent.

2311. Then under the circumstances it is hardly worth while to ask you whether in cases where the rents have been increased, the accommodation has been increased also?—In these instances that I have here (I have all the names in front of me) there is only I think about one case where there has been increased accommodation, and that was simply by taking what had previously been a public-house and removing the bar, &c. to make room for a salesman.

2312. You make that statement generally, but you do not wish that inquiry should be made into it; is not that so?—If it is possible to grant a certificate of indemnity, 20 or more witnesses could be easily supplied on this subject.

2313. But as a matter of fact none of those witnesses come forward on their own account?—No, it would not be safe; it would not be advisable.

2314. And you who do not represent them, and who apparently are doing a business which does not involve the payment of any rent, come here to say for them what they do not say for themselves?—I hold no brief for them whatever.

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2315. I understand that you make it a matter of complaint that persons occupying shops in Covent Garden are weekly tenants?—Yes.

2316. Are you aware whether that is the case in other markets?—No. I do not pretend to any knowledge of other markets.

2317. You also make it a complaint, if I understand your statement rightly, that these weekly tenants are not allowed to sell their interest in their stands or shops?—They are not. That is the ruling of the steward of his Grace of Bedford.

2318. What interest have they to sell?—In this way: they have built up a business; they have a lot of customers, and if they leave the place of course they lose their customers and they lose everything. But there is a greater evil than that, and that is with the commission salesmen that hold shops. They have a large country connexion of senders; many of them have connexions abroad and large business book debts, &c., and still their interest is not worth ten minutes' purchase, although some of them are paying from about 1,500*l.* a year in toll down to small sums. It is a very wide range.

2319. Are you aware whether any representations have been made to the Duke of Bedford or his agent on these various matters of complaint?—There was a case some time ago of a man who had been tenant of the Duke of Bedford for about 40 years, I should think, as well as my memory serves me. I worked there as a little boy myself, so that I am perfectly conversant with the facts. He was not allowed to sell the goodwill of his business although he had found a man who was willing to take it all over, such as his empty baskets and his book debts and introductions to his country senders. It was all arranged, but finally the ruling by the Duke of Bedford's steward was that there was no interest in Covent Garden, only the Duke's interest, and they would not allow the goodwill to be sold.

2320. I understand that you complain that it is impossible to ascertain what tolls are to be paid?—There is a slight error there. There are two boards: one I believe has the byelaws and the other has the tariff of tolls; but both the boards are perfectly illegible and are in a dark archway. You cannot see a letter at all on one of them, and the other one it is almost impossible to decipher.

2321. I understand you also to state that a larger amount of toll is charged than the Act establishing the market allows?—Yes.

2322. According to the Act a halfpenny is to be charged for every sieve or bushel, is not that so?—Yes.

2323. And you say that that rate is exceeded?—Yes, grossly exceeded.

2324. In what manner is it exceeded?—In this manner. Here I have a tabulated statement of the goods and the various kinds of packages that enter Covent Garden for which the lowest charge is one halfpenny. In the summer season on French cherries in small boxes weighing from a pound and a half to a pound and three-quarters, five in a bundle, a halfpenny will be charged. There will be from $7\frac{1}{2}$ lbs. to 9 lbs. in the five boxes.

2325. Then, if I understand you correctly, your complaint is that the sum charged is never less than a halfpenny?—It is never less than a halfpenny, although the Act of Parliament says "in greater or less proportion."

2326. Where is that?—The schedule of the Act contains all the tolls (*handing in the schedule*).

2327. The words are "in proportion for any greater or less quantity;" and your contention is that where the quantity is less than a sieve, the toll of a halfpenny ought not to be imposed, is that so?—Not for that individual package. There ought to be so many lumped together to make up the measure of a bushel. To prove my contention that the Royal Commission or Parliamentary Committee that fixed these rates intended that a bushel of eight gallons should be the standard of toll, here is the tariff of two railways up

to date (*handing in the same*). It is charged per sieve, per half sieve, and per quarter sieve, and the toll has been the same on these railways for years. This I contend is a proof that the Committee of the House of Lords or the House of Commons, whichever it was that fixed these tolls, intended the bushel of eight gallons to be the standard measure.

2328. But I presume that the Covent Garden tolls are regulated by the Act?—Yes.

2329. Then, again, I see that you complain of a double toll being paid in certain cases?—Yes.

2330. You say that toll is paid by those who bring fruit and other articles into the market, and that when these articles are sold the buyers have to pay a second time?—Yes; but I wish to qualify my statement. The Duke of Bedford's steward has power to charge that second toll. That is in the Act; but the people complain that it is very hard after the goods have been brought here and paid toll for that they should have to pay a second toll. Of course it is a tax on their business.

2331. But that is a charge which is legalised by the Act?—Yes, I cannot go away from that; it is in the Act of Parliament.

2332. Do I correctly understand you to say that those who send goods from a distance are liable to a heavier charge than the suburban growers?—Yes. That requires a little modifying, for all our suburban growers are not at an annual rental, but some of them are. They have a stand at 1*s.* per foot per annum, and that covers their charges, provided that they bring one waggon to market. If they have more than that they are charged at per waggon over the one. The Act of Parliament says, 1*s.* for a waggon, except it is loaded wholly or partially with carrots. Now, no waggon has been charged less than 2*s.*, and no cart less than 1*s.* for years. That is in contravention of the Act, which declares that a waggon shall only be charged 1*s.* 6*d.* if it is wholly or partially loaded with carrots, and all other waggons 1*s.*

2333. Then you say that in that case there is a clear violation of the Act?—Violation is a strong term, but it is in contravention of the Act. I will put it in that way.

2334. The charge, you say, is higher than the Act sanctions?—Yes.

2335. When you say that a suburban grower has an advantage over a man who sends from a distance, it is not because he is a suburban grower, but because he has a shop or a stand in the market?—I have a plan of the market here, and probably I can explain myself better, if your Lordship will allow me to produce it and lay it before you (*producing a plan*). This part of the outer space was arranged for what they call casual cart stands. Here (*pointing to the plan*) are the yearly cart stands, also outside. Then the charge for a grower for a yearly stand was 1*s.* per foot per annum or less period, if the Duke's steward pleased to let it for less. It was intended for growers; they had the preference. If a stand was allotted to a man and he paid rent for it, no one else could go in there if he wanted to use it. Here (*pointing to the plan*) are the casual cart stands, for which the grower bringing his goods to market was to be charged 4*d.* for a cart and 1*s.* for a waggon. They have extended it out to Russell Street, for even as late as last Saturday a man (I took his name) came all the way from Chichester, and his goods came by rail and by van to the market. His goods were put outside the boundaries of the market altogether, and that man was charged 4*s.*, apportioned thus:—2*s.* to the Duke of Bedford, and 2*s.* to a porter in the market for the fiction of what they call putting in, although the porter did nothing whatever.

2336. If I understand you aright, the preference which you say is given to the suburban growers comes to this, that it is a preference to habitual dealers over casual dealers?—Yes, that is it; but under existing circumstances there are many of our suburban growers that have not stands allotted to them, and these are charged 2*s.* per waggon. Although they are on a

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stand which ought to be let as a yearly stand, yet they have been put off from time to time and they get no redress from the Bedford office when they ask for a stand.

2337. I suppose the number of stands is necessarily limited?—Yes, of course. Covent Garden has not grown in size if it has grown in importance.

2338. Do you mean that in point of fact all the stands are taken up, and that there are some persons who apply for stands who cannot get them?—No, there are not. That is a great grievance of the market gardeners, the suburban growers. There are yearly stands that are let to no one, but still they let them to the growers and charge them 2s. per waggon, although, according to the Market Act, they ought to be occupying the stand as a yearly stand and charged 1s. per foot per annum. To put it in another form, instead of the yearly cart stands being let as yearly cart stands, they are treated the same as the casual cart stands, so much per waggon or so much per cart.

2339. You complain also, I observe, that there is no room within the market, and therefore the growers have often to remain and sell their goods in the streets adjoining?—Up to very recently such has been the case, but now that is modified. Owing to the lease of some houses running out, the Duke of Bedford has taken them down and formed what is called the southern extension, and nearly all, I believe, go in there now. But still, should there not be room there, toll would be levied in the streets, of which I gave you a case just now in Russell Street last Saturday morning.

2340. In point of fact, the market has been too small, and, as I understand, the Duke of Bedford has taken steps to enlarge it?—Yes, the Duke of Bedford has gone to a great deal of expense, I believe, in the Floral Hall and the Flower Market, and this extension, of course, is formed to make room.

2341. Then I see you say that in the thoroughfares leading to the market there are many houses belonging to the Duke of Bedford the occupants of which, if they deal in the market produce, are subject to tolls at the same rates as those levied in the market?—Yes.

2342. But that, I apprehend, is a matter of private arrangement between the tenant and the owner?—Yes. But then I wish to make a remark there, and that is, that as regards a stand or shop in the market proper in the wholesale trade (the retail trade is absolutely valueless), every one coming to the market always makes for the market and goes in there first. Then the outsiders afterwards have the second chance only, as one may term it.

2343. As I understand, these charges upon the occupants of houses belonging to the Duke of Bedford in the neighbourhood of the market are not under the Act and have nothing to do with any power which he exercises over the market, but are a matter of arrangement between him and the tenant?—It is a matter of private arrangement. I do not know that there is much grievance there.

2344. Then you complain, I understand, of inadequate shelter, a large portion of the market being uncovered?—Yes, that is a very great grievance to those who are uncovered, because there is only such a small portion of the market covered that the best of fruit is out there exposed in the morning to bad weather, and the sellers get wet themselves, and the fruit gets wet and gets depreciated in value.

2345. Have you personally ever had any difficulty with the superintendent of the market?—No.

2346. (*Mr. Childers.*) The gist of your complaint is that the market is practically much too small for the business of the present day, is it not?—Yes.

2347. Have you ever been in Paris?—No, I have not.

2348. You do not know the size of the great fruit markets in Paris?—No, I do not.

2349. And you have no information upon the subject?—I have heard; but it is only hearsay.

2350. With regard to the origin and date of the present market arrangements, the market is governed, is it not, by an Act of Parliament 60 years old?—The Act was passed in 1828; it is exactly 60 years old.

2351. And the tolls are governed, not only by that Act of Parliament, but by a schedule of tolls in an Act 75 years old, I think, an Act of the 53rd George III.?—If I read it aright, when this Act was passed, I understood that it repealed all the previous Acts.

2352. The section says that from and after the passing of the Act the Duke and his heirs, and so on, his representatives may take all the tolls which were in force at the time of the passing of the Act of 1813 subject to certain changes afterwards; so that the tolls are governed by the Act of 1813, as modified by the Act of 1828; is not that the case?—Yes, I understand so.

2353. Are the whole of the present tolls, the more recent ones of the schedule, or are any of the old tolls, taken still?—I know nothing more than what is in the schedule there, that that was supposed to govern all matters in regard to tolls.

2354. Therefore as regards the Act, although the tolls in the first instance are to be the tolls of 1813, you are under the impression that the tolls now levied are only the tolls of 1828?—No; they are levied in excess.

2355. But so far as you know the tolls that ought to be levied are the tolls of 1828?—Yes.

2356. I should like you to develop a little of the things you have said. First of all, you spoke of the rents; are the rents fixed by law?—They are all weekly tenancies in the market.

2357. But are the rates of rent fixed by law?—No.

2358. Are not the rents of the stands fixed by law?—The rents of the yearly pitching stands and of the yearly cart stands are fixed by law, and of the casual cart stands too.

2359. Do you mean that the rents of the shops are not fixed by law?—No; it is simply an arrangement, or whatever the steward thinks fit to impose.

2360. You are quite sure that although the tolls are fixed by law and the cart standings are fixed by law, and what are called yearly stands are fixed by law, the rents of the shops are whatever the Duke of Bedford chooses to ask?—Yes.

2361. You are quite sure of that?—Positive.

2362. Then, in addition to that, you say that all the holders of shops are only weekly tenants?—That is perfectly true.

2363. But you rather qualified that by referring to the change which takes place on the death of an owner, and you say that the rents are increased when the shop comes to his son, or daughter, or widow?—Yes.

2364. But what is the practice during the lifetime of the owner; are the rents raised upon him?—No, I believe not.

2365. Then we may take it that as long as a shopholder is alive his rent is not increased?—No.

2366. And it is only when a new contract takes place with somebody else that there is an increase?—Yes; no matter whether it is a son, or a daughter, or a stranger, the rents are raised.

2367. But the shops are not let to anybody, are they, except to the man who takes them; there is no agreement that they shall be let to his assignee or to his representative?—None whatever.

2368. So that the only case to which you refer in which rents are raised against the tenant is when the tenant dies and some fresh person has to be admitted?—Yes.

2369. Can you, without mentioning names, give us any idea of how much, within the last few years, these rents have been raised?—Here is one case. The father had the shop for 1*l.* 12s. per week; when the father died the wife took it, and the rent was raised on her.

2370. To how much?—I cannot exactly describe the gradations, but I can tell you what the son is

paying. When the mother died, one of the sons took it, the rent was raised on him, and now another son is paying 4*l.* per week.

2371. How many years has it taken to make that rise from 1*l.* 12*s.* to 4*l.*?—It is a good many years. I do not want to make any intemperate statement, but I should think it is about 16 years.

2372. Then in about 16 years, it may be a little more or it may be a little less, the rent has been raised from 1*l.* 12*s.* a week to 4*l.* a week?—Yes.

2373. Is that a typical case? Do you suppose that the rent of other shops when the holder has died has been raised in about the same proportion?—Yes.

2374. And the rent has been more than doubled?—Yes, more than doubled.

2375. How exactly does that come about? When a shop is vacant in the market is a notice given that people may offer for it?—Recently that has been the practice, but only recently.

2376. Is there anything approaching to an auction, or what takes place?—It is done by tender.

2377. Tender by a given day to the Duke's steward?—Yes, I think I have seen it on the notices.

2378. And therefore the rise in rent really represents the increased value of the shop at the present time?—No, because things have gone on in an inverse ratio, for the trade has gone down, but the rents have gone up.

2379. But if the rent has gone up, is it not because people are willing to pay the rent?—They are not willing.

2380. I do not quite understand you. You say that tenders are called for, and I suppose that the highest tenderer gets the shop?—Yes; but I wish to qualify that statement. I said that recently there had been tenders. This is an innovation which has been introduced.

2381. How many years ago?—Only two or three years.

2382. We are dealing with a period of something like 16 years. Formerly what was the custom?—Mostly it went from father to son, or to a very near relation.

2383. You have given us a typical case in the raising of the rent from 1*l.* 12*s.* to 4*l.*; in the last two or three years you say the rents have been fixed under tender; but previously to that how was it that the amount was arrived at, which the son or the widow, or whoever it might be, had to pay? Was there no competition at all?—Yes.

2384. Could you give us an idea how that was done?—Tenders were sent to the Duke of Bedford's office. I suppose each one offered what he thought he could give for it.

2385. But before these last two two or three years how was it done?—Before these last two or three years it generally went from father to son, or from uncle to nephew. It generally kept in the same family. Shops have been in the same family for 40 or 50 years.

2386. We quite understand that, but how was the increase of rent settled at that time, when the rent rose, as you have told us, from 1*l.* 12*s.* to 4*l.*?—It was fixed by the Duke of Bedford's agent.

2387. And there was no competition?—There was no competition.

2388. It was only what he thought he could get as the rental?—Yes.

2389. You have told us that the market is very inadequate to the greatly increased business of London; would not that in itself account for a very great increase in the rents?—If you will pardon me for one moment, perhaps I did not explain myself explicitly. What I am dealing with is the centre avenue alone.

2390. That is to say, the shops in a very favoured position?—Well, certainly, 20 years ago, or I might come down, perhaps, to 12 years ago, those shops were in a very favoured position, for the reason that at that time there were no large stores at the West End, there were no large first-class fruit shops, and nearly everybody, both wholesale and retail, had to

go to Covent Garden. But a great change has come over the scene.

2391. Have any of these shops been given up by the tenants lately because the rent is so high?—Yes, I could mention one name, because the tenant has gone.

2392. I would rather you did not mention the name. But have any of the shops in the favoured position been given up because the rents were too high?—A shop in the Grand Row has been given up. The mother's rent was 1*l.* 18*s.*, and the daughter applied for the shop in succession to her mother. After a great deal of correspondence with the agent, his words were: "If I accept you as a tenant you will have to cease selling flowers and only to sell fruit, and your rent will be 4*l.* a week," or four guineas; I will not be certain which. And, furthermore, this young woman was to discharge her manager, who had managed and carried on the shop and kept them from poverty for years through his industry.

2393. But that is not an answer to my question. You are giving an account of a new tenant who was admitted. My question was this: in the case of persons who have got these shops, and who are paying these high rents, do they themselves tend to give up their shops because the rents are too high? Is there any case within the last few years of any person paying so much rent that he himself wished to go away and give up his shop?—Yes, one man in the workhouse, Death was his name.

2394. Is it the case that any of the shopkeepers while carrying on their business have come to the conclusion that they had better go away because the rents were too high, and that they have gone away?—I think I may answer that in the negative.

2395. You say that all the shopkeepers are weekly tenants; practically are they ever turned out during their lifetime?—Not unless they cease paying their rent.

2396. Therefore, although in form, they are weekly tenants, in practice they are tenants as long as they pay their rent?—Yes, I might say that such is the case.

2397. You have given us useful information about the tolls and you have brought it forward as a matter of complaint that boxes of foreign fruit pay much more than the sieves and common packages of home fruit?—The home fruit is punished as well in many instances. For instance, should a man send a quarter of a bushel, a little basket, he is charged a halfpenny, although the legal charge, according to the Act of Parliament, is a halfpenny for a bushel.

2398. It makes no difference whether the fruit comes in boxes from abroad or in little packages from home, but the halfpenny a sieve rate is exceeded for quantities under a sieve?—Yes, grossly.

2399. I suppose in 1828 those packages were unknown, and that everything came in unpacked?—There are on my list many things that were not in existence at the time of the passing of the Act.

2400. At the time of the passing of the Act, cherries, for instance, did not come in little boxes, but they came in in gross in fact?—They came in bushels or half bushels.

2401. If that is the case, I suppose you would say that the Act is imperfect, because it does not provide for classes of fruit and vegetables which come in a different way now?—Yes, many things are not mentioned at all. The Act is imperfect as regards many things in the present day.

2402. And you would like to see that put right. You say that goods, by which I suppose you mean fruit and flowers and vegetables, are sold in the market?—Yes.

2403. Are they sold by auction in the market?—Yes.

2404. And the toll is paid, I presume, at the auction?—With most of our prominent auctioneers and salesmen, I believe, the custom is to draw the tolls and the rents together once a week on the Saturday.

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2405. But the toll becomes due at any rate when the auction takes place, and whether it is paid at the end of the week or not, the auctioneer is responsible for it from that day?—Yes, he is responsible for everything he sells.

2406. Is that so by law?—At the time of the passing of the Act in 1828, there were no auctions in Covent Garden; they were not thought of.

2407. In 1828 everything sold in Covent Garden was sold at the stalls or at the shops practically by retail?—Yes, we were very small indeed then. We have grown since then alarmingly.

2408. I suppose what you would say is that the Act governing sales in Covent Garden ought to be altered, inasmuch as it does not cover a large proportion of the present sales?—It does not apply at all to them. In many instances the Act does not bear at all on Covent Garden.

2409. Then may I sum up what you have said to us in these two sentences: The accommodation and the size and everything else of Covent Garden are inadequate in 1888, however sufficient they may have been in 1828; and a good many of the transactions in the market are not provided for at all by law?—Latterly the Duke of Bedford has enlarged the market. All the Spanish, American, Canadian, Nova Scotian, and Italian arrivals, and a great many things from France, are all now pitched in what used to be the Floral Hall. That was formerly an annexe of the Royal Italian Opera, and they used to hold concerts there in the summer time in the opera season. The Duke of Bedford has had that done up, so that all the goods that come from those places may be put in there.

2410. But I said that I summed up your answers to the effect that taking it on the whole, assuming that the accommodation in 1828 at the time that the Act was passed was sufficient for the business of 1828, the accommodation now, in 1888, is insufficient; I think you said before that that was so; do you adhere to that?—It is in a transition state. The Duke of Bedford is making more room every day. He has a large plot of land there, and only a small portion occupied. It appears to be the intention of the Duke of Bedford to throw all this open for the waggons and carts of growers, and if he does that the market will be very much better and probably large enough.

2411. And if the market is large enough, I suppose automatically the charges will come down to a reasonable amount?—Judging by appearances I should say, No.

2412. But if the market is large enough, and the accommodation is sufficient, the charges for the accommodation, by the ordinary rule of supply and demand, will come down to a reasonable amount, will they not?—Not judging by the way in which the authorities rule the market now.

2413. But how will people pay unreasonable charges if there is plenty of space?—For the simple reason that it is a question of "Stand and deliver. Pay or go."

2414. Will not people go?—Go where? Where is a man to take his load of produce to?

2415. Then it is your opinion that although the accommodation may be ample, yet the monopoly of the market will enable the owner to make an unreasonable charge: is that the view you take?—Yes. Thank you; I could not put it so well myself.

2416. (*Sir Thomas Martineau.*) Are there many of these weekly tenants who have gone on for 40 years?—No.

2417. You mentioned, did you not, one case of a tenant who had been holding in this market for 40 years?—Yes; he had to leave without selling his business; he was a wholesale man, a commission salesman.

2418. Was he in this central avenue?—No.

2419. I thought you said that your evidence on this point was confined to the central avenue?—No;

it was in following Lord Derby in another paragraph that that came out. I intended to take the market sectionally.

2420. On what tenure did that person hold, who was there for 40 years?—He was a weekly tenant.

2421. Are there many tenants who have been there for long periods like that?—Not for 40 years; some 20 years, some 18 years, and some 16 years.

2422. Are they paying the same rents now that they paid when they first went there?—Yes.

2423. Then does the Duke never raise the rents upon the same tenants?—Never, unless there is a change.

2424. Then you think it is a grievance that a person holding on those conditions cannot part with his trade to somebody else, and let him into the holding, do you?—Yes, I do think it a grievance, in this way: that it is no interest to that man to work hard and be energetic and import goods, if he is not able to reap the benefits when he would wish to leave, either through ill-health or for other reasons. He has been only working for temporary purposes.

2425. I want to know what you think would be right with reference to that subject. Suppose he had a power of nominating a successor to his business, I presume, from what you have said, that you think he ought to be allowed to do so?—To sell his interest and the goodwill.

2426. Do you mean that the person to whom he sells is to hold on the same terms that he has held on?—That would follow as a matter of course.

2427. And is that to go on for ever, so?—That is a hard question to me; I could not answer that very well; I might make a blunder if I attempted to answer it.

2428. (*Mr. Little.*) You say that the boards on which the scale of tolls is printed are illegible; but are there not other means of finding out what the tolls are? Are there no bills printed?—None whatever.

2429. Then there is a difficulty and an uncertainty as to what the toll is?—There are very few in the market who know anything at all about the scale of charges.

2430. Are the byelaws or regulations of the market printed?—Painted.

2431. But they are not published in a book?—No.

2432. Did I correctly understand you to say that toll was actually taken on goods sold to arrive and never brought into the market?—Yes.

2433. In your statement you put it that they become liable to toll, but you say that toll is actually taken on them?—Yes, the toll is taken for them; the auctioneers pay it.

2434. You are convinced of that?—Oh, yes.

2435. (*Sir James Corry.*) Do many disputes arise with reference to these tolls between the agent of the Duke of Bedford and the parties who occupy the market?—No one is allowed to dispute with the Duke of Bedford or his agent. They grunt and pay.

2436. (*Mr. Maclean.*) You rather suggest, under your heading of the precarious position of the tenants, that the weekly tenants are liable to eviction; do you know of any cases in which the Duke has exercised that legal right?—Yes.

2437. Are such cases frequent?—No, very rare.

2438. In those cases has there been any special reason for the Duke exercising his strict legal rights of eviction?—Yes; I think he has taken over the Local Option Act to himself bodily, and evicted the two people who kept the public houses. One had paid to go into the house some years ago so much money, not to the Duke of Bedford's people, but to the man who held previously. In the other case, the house had been in the man's family for 60 years; he got a quarterly notice and had to go. That house was turned into a potato warehouse, and the same with the other one. In the case of a third house some time ago, they were going to turn a woman out, but the people of the market got up a petition; her

husband had just died, and he had gone to a good deal of expense on the house, and they gave her a little more grace; but I believe she is to go eventually.

2439. Substantially, does it not amount to this; that in these specific cases the Duke acquired those properties for some other purpose connected with the market?—To turn them into fruit and potato warehouses.

2440. Although it might possibly have been a little hard upon those three individuals, was it not for the general benefit of the market, at any rate, in the view of the Duke of Bedford?—I could not really pretend to give the views of the Duke of Bedford; I do not know what his idea may have been.

2441. That is a very good answer, but I am asking you the fact; was it not for the purpose of generally benefiting the market?—No, I think it was for the purpose of benefiting himself.

2442. (*Mr. Childers.*) Were those public houses inside the market?—Yes; the public houses stood here (*pointing to the plan*). They were very small indeed. One of them had been for three generations in that family; the rent was raised from 2*l.* 12*s.* a week to 5*l.* a week, and yet he had to go. Another one was here (*pointing to the plan*). Fault was found with the landlady, and she had already arranged with a man to take her place, but that was not allowed. Another one was here (*pointing to the plan*).

2443. (*Mr. Maclean.*) The sites of those houses have been applied for market purposes?—They have been altered into shops for fruit and vegetables.

2444. In what way do you suggest that it was for the Duke's own interest that he made those changes?—Simply because on this spot here the rent was 5*l.* a week previously, and now it is 6*l.*, besides toll in addition, for everything that goes into the man's place.

2445. Did the justices make any difficulty as to renewing the licenses in those cases which you have mentioned?—None, whatever, that I am acquainted with.

2446. Perhaps you do not know anything about it personally?—In the case of one of them, I am certain no house in London was conducted better. There was never the slightest cause of complaint; it was very select.

2447. Just a word or two about the tenants parting with their interest. I understand you to say that those who have the shops in what I think you call the centre avenue cannot sell their business?—No.

2448. Do you mean to say that if they entered into a contract with somebody to sell the good will of a business like Solomon's, the Duke of Bedford would step in and not allow them to sell it?—I do not say that the Duke of Bedford would, but his agent would. That is his ruling.

2449. Then, according to you the goodwill of a business in this avenue is absolutely valueless?—There is no goodwill at all attached to it. The goodwill is nil.

2450. But those shops do change hands, do they not?—Yes, very often; at least, several of them have lately.

2451. Do you know of your own personal knowledge whether in those cases in which they do change hands nothing is paid for the goodwill?—Nothing whatever.

2452. You know that?—Positively.

2453. Are there, amongst those who have the shops and stalls, complaints made as to the tolls?—They are like the crows; they complain among themselves.

2454. You hear complaints among them?—Frequently.

2455. Have those complaints ever been brought to the notice of the agent of the Duke?—There is a slight qualification attached to that. Do you mean those of the commission salesmen?

2456. Do you want to qualify your previous answer?—No, but I should explain that there are two kinds of tolls levied. In the case of shops and commission

salesmen importing goods, the tolls are per basket in the case of stands and waggons, it is per van.

2457. Are there general complaints against both those classes of tolls?—Innumerable. There has been a deputation of market gardeners to the Duke of Bedford, complaining of the way in which they are served.

2458. You say that they are like the crows and complain amongst themselves; have those complaints been brought to the attention of the Duke?—Not by the commission salesmen, but by the market gardeners.

2459. They are the only persons who have actually complained to the Duke?—They have complained to the steward.

2460. That is to the Duke. The steward is the agent of the Duke. Did the steward refuse to enquire into the matter?—No; the stereotyped answer has been for a long while, "It will be seen into;" but still it is not done.

2461. But the Duke's steward did not refuse to entertain the question of whether the complaint was well founded or not?—Oh, no; he bears a very good name for courtesy.

2462. But you say that practically nothing has yet been done?—Nothing has been done.

2463. (*Mr. Picton.*) You said just now that the reason why the salesmen submitted to these higher rents, was because it was an alternative of "pay or go," and that they could not go anywhere else; is there no other market that they could go to?—Covent Garden has a business that no other market in London pretends to have in regard to first class goods. If they took their goods to another market, they could not possibly give them away, because the class of people that want them are not there. Covent Garden is the market for the best produce.

2464. For the West End of London?—Yes, for the best produce.

2465. There is a retail business done there still, is there not?—Yes.

2466. To a large amount?—No, I am sorry to say it is very small.

2467. Is it diminishing?—It is diminishing yearly, aye weekly.

2468. Can you give any reason for its diminution?—Yes, the Civil Service Stores and the first class fruit shops springing up at the West End. At one time carriages used to come down to Covent Garden and stand in lines, the nobility and gentry of the West End coming to buy. Now it is the exception to see a carriage there.

2469. Do you think that there is any demand for a retail market in that way, or is it merely pushed out by want of room?—It is simply that two or three of the shops have a few of their old customers perhaps that have been on their books for many years.

2470. But is there any general need of a retail market?—No.

2471. You say that a good deal of business is carried on beyond the boundaries of the market?—I modified that statement to Lord Derby by saying that latterly there had been what they call the southern extension; that is, a block of houses has been cleared away, and the Duke of Bedford is putting there the vans and carts that used previously to stand in the streets debouching on the market.

2472. You state that to the ratepayer is left the expense of removing the garbage and refuse that is outside the market; does that nuisance continue still?—It has been mitigated. At this time of year there are not many vans there, but in summer time there are a good many.

2473. Is that nuisance still complained of, of the abundance of refuse that has to be removed, by the ratepayers?—The vestry of St. Paul's, Covent Garden, have complained about their having to pay so much for clearing the streets. I am informed that the Duke of Bedford used to pay the parish authorities 350*l.* per annum to assist to pay for clearing the streets; but I am also informed that latterly the Duke of Bedford or the agent has stopped that money.

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2474. Do you know that of your own knowledge?—I had it from one of the men that belong to the vestry, or the Board of Works, I cannot say which.

2475. Supposing that this enlargement, of which you speak, were completed and in full operation, would that nuisance be altogether abolished?—No, there would still be refuse, for this reason: in the changing of hands of vegetables, &c. a certain amount of garbage is always left behind in the street, because a porter takes out a load of greens or cauliflowers and he shoots them into a cart, and there are always leaves, &c. falling on the stones.

2476. Within the limits of the market is not the refuse removed at the expense of the Duke?—Yes.

2477. But outside it is not?—That is so.

2478. And there must always be a certain amount of refuse?—Always.

2479. How are the imposts, of which you speak, on buyers as well as on sellers, collected?—The foreign importations of apples, onions, grapes, chestnuts, and so on, are pitched in the Floral Hall, for which the importers pay toll. When they are sold the people that hold stands and shops in the market have to pay toll on them again to the Duke of Bedford. Thus a second impost is made on goods in the market.

2480. But you said it was charged on the buyer?—Yes, the importer sells the goods by auction. The people that are standing at his sale and buy them, if they hold stands or wholesale shops in the market, have to pay the Duke of Bedford a toll on them when they reach their premises.

2481. It is the people who hold stalls in the market, then, who have to pay?—The people who hold stands and wholesale shops.

2482. Cannot people from outside who do not belong to the market buy?—Yes, but outside traders pay no toll.

2483. You spoke of complaints being made as regards interference with the mode of carrying on the business, and you mentioned a case, though it was not pursued at the time, of the demand that a manager should be discharged; is that an isolated case or are there more of them?—It is an isolated case.

2484. Had that man made himself objectionable in any way?—Yes, I believe he had.

2485. Then you said that the woman who took the stall or the shop was ordered not to sell flowers in the future; is that kind of embargo often laid upon the trade that is desired to be carried on?—It is not a general thing.

2486. Was that at the time of the new agreement that was to be entered into?—There was no new agreement entered into. The young woman was simply holding it and waiting to get the answer from the Bedford office if she would be accepted as a tenant of the Duke of Bedford.

2487. And then she was told that she might be accepted on that condition, amongst others, that she should not sell flowers?—And that she should discharge the manager.

2488. Did she submit to those conditions?—No, she left the market, because it would have been ruinous to her. There is a case in point. A person in the retail fruit trade in the Grand Row would not make enough to pay for the gas.

2489. But it was the flowers that she was to give up, not the fruit?—Yes, that was her dependence. She would have accepted the terms, bad as they were, only for her being refused permission to sell flowers.

2490. (*Mr. Charrington.*) While we are on the subject of this Central Avenue, in consequence of the depression of trade and the increase of rents, are any of the shops shut up?—There is one shop shut up.

2491. Have not a great many of the shops in the Central Avenue fallen into the hands of the Jews?—The late Mr. Samuel Solomon was a tenant of his Grace of Bedford for, I should think, nearly 60 years.

2492. But besides him are not many of those shops held by Jews?—There are four tenants now in the Central Avenue of the Hebrew persuasion.

2493. You mentioned that complaint had been made to the agent of the Duke of Bedford as to higher tolls being charged than are authorised by the Act of Parliament; was any answer given to the complainant?—This is a very difficult subject for me to grapple with. There are two kinds of tolls levied. There are the commission salesmen who import foreign goods mostly, and some of our English growers, men that are too far away from the market who send up their goods to be sold on commission. But our suburban growers have made complaints because they are charged toll per van when they ought to have a stand at one shilling per foot per annum. The commission salesmen have not complained.

2494. Has any answer been given to those who complain?—That it would be seen to. That has been the answer several times. In fact, I would wish to ask whether his Lordship would allow a member of the Market Gardeners' Association to come here, because he would be better able to deal with the question than I am. They have lost their chance; they said they did not know that the Royal Commission was sitting.

2495. (*Mr. Elton.*) With reference to what you allege about your own personal grievance, you said that you collected flowers or fruit for Mr. Mason and Mr. Cockerell, and that you were charged the rent of a stand; was that correct?—Yes.

2496. What were you charged?—A shilling.

2497. Was that under the Covent Garden Act, for placing flowers on a stand?—Placing, pitching, or exposing.

2498. You were charged under the Act for "every stand on which a person shall place flowers"?—Yes.

2499. The scheme of the market is this, is it not, that the Act appropriates the space in part to shops, in part to public-houses for the use and convenience of the market, and in part to the stands of which you have told us?—Yes.

2500. The rent of the shops and of the public-houses for the use of persons resorting to the market is fixed by the Duke entirely, as owner of the market?—Yes.

2501. And there is a great distinction drawn, I apprehend, between the rents that are to be charged by him as owner, and the payments for stands which are regulated by the Act?—Yes.

2502. That distinction runs throughout, does it not?—Yes.

2503. So that when you mention some of the stands for which the Act fixed the rents or payments, you mean, probably, that the payments for all the stands are regulated by the Act?—Yes.

2504. Then that makes it simpler. The rents or payments for the potato stands and the flower stands and all the others are fixed by the Act?—Yes.

2505. But the rent of anything like a shop, or what the Act calls a public-house for the use and convenience of the market, is fixed by the Duke?—Yes.

2506. When there is a vacant stand certain persons have a preferential right to use it?—Yes; growers have a preferential right.

2507. Subject to the preferential right given by the Act of Parliament, a vacant stand may be let by the Duke on payment of toll?—Yes.

2508. But the person who pays the toll must clear out if the person who has the preferential right comes?—Yes, if the grower comes.

2509. The preference that is given to the grower is confined to the yearly cart stands that you spoke of?—Yearly cart stands and yearly pitching stands. Perhaps I had better explain the difference between the two. The yearly cart stands are places where a van can draw up on coming, and the man can either unload it or leave the van on the stand; but he cannot get underneath that large roof; the van has to be unloaded outside, and the goods carried in.

2510. Then on those yearly stands the growers have a preference?—Yes.

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2511. Do the growers have a preference of the casual stands?—Yes.

2512. Might I take it that there is a preference given by the Act to a particular class, who are regular customers? Growers would be likely to be the most regular customers, would they not?—Yes; the growers and producers always have the preference.

2513. You say that some other ground ought to be given up to yearly stands; that is your opinion, I suppose. Does not the Act say what ground shall be used for yearly stands?—Yes.

2514. What do you mean by "ought to be for yearly stands"?—These parts (*pointing to the plan*) would be for yearly stands.

2515. They keep to the appropriation named in the Act, do they not? What the Act says shall be for yearly cart stands is now kept for yearly cart stands and so on?—No, not in its entirety.

2516. You say that they will not let some of the yearly stands that are vacant; I suppose you mean that the Duke's agent will not let them?—Yes.

2517. Do you mean that they will not let them to people who are not growers?—No, they will not let them to non-growers.

2518. Is that the complaint that you make?—No, we do not complain about it.

2519. Do you mean that they will not let them to growers or to non-growers?—There are many growers that come to the market, and they will not let them have a yearly stand, although they put them on the place where the yearly stands are, and they charge them so much a waggon instead of making them tenants at a yearly rental. They put their waggons on and charge them 2s., whereas the legal charge under any circumstances is only 1s.

2520. And what is more important, it appears that the man would have a preferential right to that stand?—Yes, a preferential right.

2521. With regard to the sieves and bushels, you have referred us to the passage in the Act, about the charge being a halfpenny per sieve and so on for a greater or less amount; and you also put in some railway schedules. I observe that the railway practice is to take a given unit or standard, as you called it, and not go below it. For instance, in your schedules you pay for a half sieve or quarter sieve, or for any quantity below that, just exactly the same toll?—For the quarter sieve they have to pay a halfpenny; for a half sieve a halfpenny; and for a sieve a halfpenny. That is the lowest charge made in the market for any package.

2522. In the case of the railway companies they do not allow this inconvenient practice, as I should think it would be, of adding up a lot of small quantities until you get to a bushel or sieve, but they charge you for a half sieve or under?—Halves and quarters are on one scale and sieves on another.

2523. But they do not go below the half sieve, do they?—They go to a quarter of a sieve, but they charge the same price as they charge for half a sieve.

2524. They do not let you make it up in pints?—No.

2525. And so with oranges, they would not let you pay less than the toll for half a box at Covent Garden Market?—We are now having oranges from Australia even, and they come in small packages, and the charge is 1d., and I think the most they hold would be about a bushel; but still the Duke of Bedford charges, I think, on a box 2d., and on a chest 4d.

2526. Would you be in favour of persons who are selling very small quantities of oranges being let off toll until they came up to the box or whatever it is on which 2d. is charged? You said that you thought they ought not to be charged a halfpenny for less than a bushel; would not that be very inconvenient?—Those are sold 10 and 20 boxes in a lot by auction.

2527. And you think the Act could not mean that this halfpenny was to be charged for the first sieve, and, according to what rules may be made afterwards,

more or less?—Oranges come under a different head altogether from cherries, &c.

2528. I went back to cherries. For oranges, a toll of 4d. a chest, or 2d. a box, and so on, is to be charged for any greater or less quantity?—It would mean that if it was only a quarter of a chest it would be 1d.; that would be half a box.

2529. You do not see that it might be read 2d. for the first box, and so on in proportion for any number of boxes?—No, it has reference to the capacity.

2530. And you say you think that the best plan would be not to charge 2d. until the quantity of a box had been attained?—If they are small they should count two for one; that is the way that I would have it done.

2531. (*Chairman.*) I think I understood you to say that the only case of removal of a tenant that you are aware of, was one in which a tenant was removed in order to get rid of a public-house?—There were two cases where the tenants were removed in order to get rid of public-houses.

2532. But in each case it was for the same purpose, to get rid of a public-house?—Yes.

2533. I think I also understood you to complain that the holdings on the death of a tenant were not continued to the sons or daughters?—It is optional with the Duke of Bedford's agent.

2534. Then do you put it that in such a case the family has a moral right to continue in the holding?—Yes, I should think that it would be a moral right; of course, it is not a legal right.

2535. Do you not think that if that rule were strictly observed, and the whole market as a consequence fell into the hands of a certain number of families, that would be complained of by outsiders as being in effect a strict monopoly?—Up to the present, although it has generally gone from father to son, yet they do not seem to have prospered very well under it. The system seems to break up. Whether it is from not getting married or having no descendants I do not know; but there are many instances that I can recollect in which it has broken up since I have been in the market.

2536. (*Mr. Childers.*) I did not quite understand an answer that you gave to Mr. Elton just now. The ground which is divided into stands called yearly pitching stands, I think you said ought all to be occupied as yearly pitching stands; and you complained that part of it was not devoted to yearly pitching stands, but that the casual people were allowed to come in; did you mean by that that the Duke or his representatives are bound to let the whole of that ground for yearly pitching stands?—By the Act of Parliament and the lettered plan of the market it appears that the growers should have the preferable right to those stands.

2537. But do you mean to imply that a person who is a grower, whether the Duke wishes it or not, should have a sort of right to take a yearly pitching stand?—No; but the grievance is that these stands are let, and not for the purpose for which they were intended by the Act of Parliament.

2538. The Act of Parliament says that if they are not let as yearly pitching stands, they may be applied to other purposes; will you be good enough to explain exactly, whether you think that the Duke is bound to let them as yearly pitching stands and that he cannot, if he thinks fit, refuse people who apply for them?—I have read the Act of Parliament right through, and I do not see anywhere where it is proposed to compel him to do anything.

2539. If he does not choose to let these places as yearly pitching stands, but only to use them for temporary purposes, surely he has not violated the Act, has he?—Yes, when there are growers outside the market with their vans on the outer edge who would like to have those yearly pitching stands.

2540. Do you mean to say that a grower who is outside the market has a right to come to the Duke and say, "Here is a vacant space; you must give it to me for a yearly pitching stand"?—I do not say

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"must," because that would be compelling the Duke to do it against his will. The Act of Parliament says that they may be let, not that they must be let.

2541. Therefore the growers outside the market have no claim as against the Duke, if he is unwilling to give it to them, to come in and say, "You must give me space there as a yearly pitching stand." Only if there is space which is not to let, then the other provisions of the Act would apply; is not that so?—I contend that as the Duke of Bedford holds this market by charter, and it is regulated by Act of Parliament, it ought to be carried out in the spirit, if not to the letter.

2542. Therefore, you think that he is compelled, whether he likes it or not, to let these yearly pitching stands?—I should not like to say that it is so.

2543. But we want to know whether that is a grievance in connexion with this market?—It is a great grievance to men to have their fruit put outside in the rain, when they would like to be under cover.

2544. Do you think that they have a right against the Duke to say "You must give me these stands"?—I cannot accept the word "must."

2545. (Mr. Maclean.) Is there any general complaint about the tolls levied outside the boundaries of the market?—No, I could not say that there is. That is an agreement in the leases, of course; there is a clause inserted in the lease or agreement between the Duke of Bedford and the person who takes the house.

2546. What I am referring to is the tolls levied where the carts come and pitch outside the boundaries of the market?—Yes, there is a complaint about that; because they lose the chance of a better market by being put outside.

2547. Can you tell me what right there is to charge any tolls for those carts which take up their position outside the boundaries of the market?—I do not know what right there is attached to it.

2548. Has that, to your knowledge, ever been brought to the attention of the Duke or of his agent?—Not that I know of.

The witness withdrew.

Mr. JOHN ROBERT BOURNE and Mr. JOHN ASSBEE examined.

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2556. (Chairman, to Mr. Bourne.) We understand that you are agent to the Duke of Bedford?—I am.

2557. We need hardly ask you as to the situation of Covent Garden Market; but is it a market for vegetables, fruit, and flowers, exclusively?—Exclusively for vegetables, fruit, and flowers.

2558. Can you tell us how the market rights were originally acquired?—By charter of the 22nd of Charles II. in the year 1661, whereby the King granted to William, Earl of Bedford, his heirs and assigns, the right for ever to hold and keep a market within the parish of St. Paul, Covent Garden, in a certain place there, then called the Piazza, on every day in every week (except Sundays and Christmas Day), for the buying and selling of all and all kinds of fruit, flowers, roots, and herbs.

2559. The market has been subsequently regulated by Act of Parliament, has it not?—The first Act of which one has any clue was passed in the 53rd of George III., for regulating the market. That Act was subsequently repealed. The Act was called An Act for regulating Covent Garden Market; and by way of preamble it recites the charter, and that from the great increase in the quantity of articles brought to the market for sale, and in the number of persons resorting thereto, it is expedient that provision should be made for better regulating and ordering the market and of the persons resorting thereto, and for the more easy collection and recovery of the tolls and dues payable in the market or in respect thereof; and then follow the enactments giving the market owner power

2549. Has nobody mooted the question of whether there is any right to levy this toll outside the boundaries of the market?—Nearly all the Acts of Parliament, and the byelaws and regulations, have become a myth; it is lost in obscurity; it is almost obsolete. They do very nearly as they like.

2550. (Mr. Charrington.) We have heard a good deal about the costermongers coming to Spitalfields and the fish markets, and buying up the remnants; do they do so at Covent Garden?—Yes. I saw one day a lot of barrels of apples which had arrived from America sold for 9d. per barrel, and there was a tremendous loss on them.

2551. There is no difficulty in getting rid of the refuse or remnants of the goods that are exposed for sale; you can get buyers for them among the costermongers?—Yes; and all fruit that is at all tainted, or is a little bit off, generally finds its way to the east end among the poor Jews, what we call in the trade the Hollanders; and they select it, and look it through, and wipe it, and clean it, and they sell the best of it and throw the rest away.

2552. (Mr. Picton.) Do you know any cases of growers who complain that they cannot bring their goods to Covent Garden because there is no room for them?—No, they do not complain about there being no room because there is the room; but the market authorities will not give them a yearly stand, as they ought to do, because the income is greater from putting them on the footing on which they put them than it would be if the stands were let to them as yearly stands.

2553. Do you mean to say that there are none of them excluded for want of space?—None. Hitherto they have had a stand in the streets until the southern extension was made, which has mitigated the evil materially. Nearly all of them are now absorbed in in the southern extension.

2554. But the southern extension does not come under the charter, as I understand?—It does not, and they charge of course just what they please in there.

2555. Then there is not room in the market itself?—No, not in the market proper.

to regulate the market by making the people sit in certain positions and place their waggons and carts in other positions, and to remove people who were obstructing the carrying on of the market, and particularly those who obstructed the cleaning of the market. Then there is power given to recover tolls, and for the first time we find an enactment of a somewhat special character by which all tolls are made payable by the vendor of the goods and not by the purchaser; and the market owner is authorised by this Act to collect the toll from the vendor of the goods instead of according to the ordinary rule which makes the toll payable by the purchaser.

2560. Has there been any Act since that of 1828?—Nothing since the Act of 1828. The Act of 1828 was passed to enable very extensive alterations to be made, and to enable the market owner to enclose certain portions of the open area by putting buildings upon the area; and it was under that Act that the market in its present form was really laid out and the buildings that at present exist were erected.

2561. Then the Act under which the market is now regulated is that of 1828?—It is.

2562. On what days is the market held?—Every day in the week, except Sundays and Christmas Day.

2563. Can you describe to us the accommodation that has been provided by the market?—The area of the market prescribed by the charter is 420 feet from east to west, taking the western boundary as the church, the church having been in existence at the time when the charter was granted; and 316 feet from north to south, the southern boundary being the

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wall of Bedford House, as it existed at the time when the charter was granted. The wall of Bedford House ran along the south side of the quadrangle, and the measurement was made from that wall northward. It exactly coincides with the present quadrangle, which has been preserved from that time to this. The boundary ran from what is known as Henrietta Street and Tavistock Row on the south, up to the north side underneath the piazza to the fronts of the houses; and then from the church front to the corner of Russell Street on the east, making almost to a foot the area that was prescribed by the charter. Then within that area the buildings stand that are popularly known as the market, the north and south rows, the east terrace, and the west terrace, and the centre avenue. Around the buildings there are the open spaces in which the waggons and carts are drawn up for market produce to be sold from, and between the rows of buildings are open spaces known as Long market, short market, and fruit market, in which goods are pitched for sale.

2564. Then in addition to the chartered market, which as we understand from your paper contains a superficial area of 132,720 square feet, a building we understand has lately been erected by the Duke on his own land?—Yes, a large building, the flower market, is at the south-east corner of the quadrangle. The plan which your lordship has before you is the plan. The pink colour indicates the original chartered market, and the south-eastern corner indicated by the yellow colour is the new market for the sale of flowers. Then at the present time a clearance of land is being made at the north-east corner adjoining the Floral Hall of Covent Garden Theatre; and also at the southern side of the market which will remove some 30 houses in order to give additional space for waggons and carts, and generally in aid of the market.

2565. The area of the new flower market we are told is about 29,000 feet?—It is.

2566. And in addition to that there is a clearance giving an area of over 26,000 feet on the south side of the market?—That is on the south side immediately adjoining the flower market.

2567. Then on the east side there are works in progress, are there not?—There are. There is a building which probably may be known to all present by the name of the Floral Hall, immediately adjoining the Opera House. By arrangement the lease of that Floral Hall was purchased by the Duke from the lessee, and I am at the present moment adapting it to make it a place for the sale of foreign fruit; and in front of that will be a large area for the carts and waggons bringing the produce to that hall and taking it away from there.

2568. The flower market, the southern area, and the Floral Hall, as we understand, remain the private property of the Duke?—In the sense that they are not included within the limits of the charter, and consequently would not be considered dedicated, but remain for the time at all events the private property of the Duke.

2569. To what extent are the markets held in the open streets, and how long have they been so held?—Within the chartered quadrangle there is a considerable space that is not covered, and that may appear to be street, because wheels can pass freely along and a great deal of the business is done in that uncovered area. It is made a thoroughfare by long usage, but the market business is carried on within that uncovered area. But there are certain of the streets immediately leading into the market on all sides, east, west, north, and south, in which at times certain of the overflow waggons, waggons that could not be brought within the chartered quadrangle, have been accustomed to stand waiting to come into the quadrangle; and frequently the growers who have their waggons there sell from the waggons. We hope that on the completion of the enlarged area that is now being provided, none of those waggons will in future remain standing in any of the streets which may be considered public streets except so far as

they are permitted by the local authority or by the police authority to block up the streets, not with the concurrence of the market authorities at all, but because it is outside the market control and we cannot stop it.

2570. I suppose we may take it that there would have been no selling in the streets but for the fact of the market being overcrowded through absolute want of space?—Not necessarily so, because it is conceivable, for instance, that if a man had the chance of selling in Long Acre, and was allowed to sell there by the public authority, he would sell and pay no toll, and be there carrying on business adversely as it were to the market owner's rights. But, as a rule, we may suppose that people having goods for sale would come as close into the market as they could, that they would, in fact, come to the market and would practically be considered as doing market business in the ordinary sense of the word. It is fair to assume that the selling in these streets originated in the desire on the part of people to come to sell, and not finding room within the quadrangle, sold as close to the quadrangle as they could get.

2571. But, as I understand, you expect that the practice of selling in the streets will either disappear or greatly diminish when this increased accommodation shall be given?—Undoubtedly. We have found since we have had the southern area opened during the last two or three months that our salesmen, who heretofore had been keeping their surplus waggons in the streets leading to the market, now bring their waggons into this new area.

2572. Can you tell us what is the estimated amount of the capital expenditure which has been incurred in respect of the provision of market accommodation?—It is impossible to estimate the expenditure on a market that has been in the same hands for over two centuries; but taking merely the present buildings, the buildings that were put up in consequence of the Act of 1828, roundly speaking those building cost 70,000*l*. The building just finished, the new flower market, has cost in round figures 50,000*l*. The Floral Hall or the new fruit market, as it will be termed, will cost between 30,000*l*. and 40,000*l*. Then there is the fee simple value of the whole of the areas, both the chartered market area and the three or four other areas in which market business is carried on; so that it is scarcely possible, without a very close calculation, to give in figures the amount of capital money that has been expended.

2573. You have made out an actual expenditure of more than 150,000*l*. in the present century?—Yes, in buildings.

2574. And that is not including the value of the land upon which the buildings stand?—Certainly not, simply the buildings.

2575. And that does not include any expenses incurred on the south side?—No, nor in the north-east corner, except the purchase of the Floral Hall. The outlay on the work that is now in hand there one can scarcely tell. It is anticipated that 20,000*l*. will be spent this year upon the Floral Hall and the area adjoining, in enclosing it and putting up a proper fence, and levelling it and putting in drains, and asphaltting the surface. In the south area it is only partially done in a temporary manner. If that is dealt with in the same manner as the north-east corner, there will probably be another 20,000*l*. expended there.

2576. In addition to the expense of buildings, and the value of the land, you have gone to considerable outlay, I believe, in buying up outstanding interests?—In order to affect the clearance. It so happened that by the falling in of leases one was enabled to deal with the southern area, and in fact, with the other area as well, more readily than one could have done if the leases had been running on. But in both cases, there were leases to be acquired. For instance, the board of guardians had the house immediately adjoining the Floral Hall, with a few years of their lease to run. They being a public body, one had to pay

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them very liberally to give up possession, and to locate them elsewhere, which has been done at some cost. Then with regard to the Floral Hall, the lease had several years to run, and the lessee had to be paid 20,000*l.* to surrender his lease. Other instances might be quoted.

2577. (*Mr. Childers.*) The entire area of the market and of the adjuncts comes, I think, to about four acres and a half, does it not?—I have not worked it out into acres; one is so much in the habit of treating it as superficial feet. I think it is more than four acres.

2578. Do you know how that compares with great markets elsewhere, the Halles at Paris, for instance; it is a very small area, is it not, compared with the Paris market?—It is perhaps a little difficult to compare the one with the other. There is a large clearance around the Paris market, which of course give considerable facility for the carrying on of business there. It depends upon whether you reckon that large clearance as part of the market, or merely the area covered by the building. If it is merely the area covered by the buildings I should think, so far as my memory serves me, Covent Garden must be as large as the Paris market. I think I have the material at my office to institute the comparison, but I could hardly make it from memory. And the Halles at Paris are for the sale of other products besides fruit and vegetables.

2579. The question that I was going to lead up to was this: is it the case, in your opinion, that the accommodation of the market, considering what it has to supply, is still small?—I think that until we have tested the effects of the enlargements that are going on, it is scarcely possible to give a satisfactory answer to the question. The area of the chartered market unquestionably is inadequate, and unless it had been enlarged in some way the wholesale business must have come to a standstill in time.

2580. Are there not grave inconveniences in respect of the market being partly under statute and partly outside the statute?—We have not found any inconvenience because of the ownership being the same.

2581. But still you cannot use the powers of the law except within the chartered market?—We can use the powers of the law in this way. For instance, every stand holder in the flower market becomes a tenant under agreement, and he binds himself by that agreement to observe certain rules and regulations, which rules and regulations are embodied in the agreement. Those rules and regulations are an echo of the rules and regulations of the chartered market, and such other rules as are necessary for the easy working of the place. Then at all the entrances to the flower market notices are painted up, that all persons using this building do so by permission, and are subject to the following regulations, which are put up.

2582. But under the two Acts of 1813 and 1828 you have express powers with regard to the tolls and rates, and express powers to make byelaws?—Yes.

2583. Of course you have no such powers with respect to the unchartered part of the market?—No, merely under the ordinary common law.

2584. Is there not great inconvenience?—It has not been found to arise.

2585. But will there not be great inconvenience?—I do not anticipate any.

2586. Is not the whole object of giving the power to pass byelaws, and giving powers as to tolls, to avoid inconvenience?—In the practical working of the thing, no inconvenience has been found up to the present moment. It is conceivable that inconvenience would be found if both parts were not in the same ownership and under uniform management. The market people do not distinguish when they take a step that they are within the chartered area, and that when they take another step they are within the unchartered area.

2587. But if they got into a quarrel with you, you would have to take very different proceedings as regards the unchartered area from the proceedings that you would take with regard to the chartered area,

would you not?—Probably. In the one case we should have to proceed under the byelaws, and in the other case we should have to treat them as trespassers and prosecute them.

2588. If you were the defendants you might put those simple people to a great deal of trouble as to how they were to proceed, might you not?—Perhaps so.

2589. Have you under the charter any exclusive privileges outside your area?—The charter creates the right to hold a market. That carries with it an inherent right which attaches to the ownership of a chartered market of preventing a market being held within a certain area.

2590. Within seven miles?—Perhaps you know that the law courts differ a little in opinion as to where the limit is; but within a certain area, whatever it may be, that right exists.

2591. The charter, as it were, cuts out from the city certain of its pre-existing rights; you assume that you have under the charter those rights of exclusion extending to whatever number of miles it may be?—We think so. The question of the right of creating these grants, as you probably know, was long since contested, and the corporation tried to upset not only this grant but others.

2592. It is not so very long ago since the last great case, I think. But you hold now that whatever that distance may be you have a monopoly with respect to the sales in your market for a considerable distance in London?—Yes, I think so; but it is curious that the answer to that question, if ever it came to be discussed, would have to be qualified very much, seeing that there existed at one time a chartered market within an area of less than a mile of this market, namely, Hungerford Market.

2593. Was it chartered, like yours?—I believe it was, and granted almost about the same period.

2594. But as against private people (I am not speaking as against other charters) you enjoy an enormous monopoly of the sale of the articles sold in the market?—In open market, not against the sale of goods; but we have a monopoly as against the setting up of another market.

2595. Has there been within your recollection any attempt to set up a market within your district?—None whatever.

2596. So that practically the monopoly is a working monopoly?—It has never been found expedient or thought necessary to attempt to establish another market, seeing that other markets around have failed. Hungerford Market dwindled to nothing; Portman Market dwindled to nothing. Then we had a little market in Bloomsbury as part of the manor, a manorial market, which gradually died out in process of years.

2597. But whether those markets have failed or not you contend that you have that monopoly right?—We have never had to put it to the test, but I am merely giving that as a view that one holds; and if one were called upon to advise the Duke on such a question as that I should say that the owner of this market has that right. But we have never been called upon to put it into actual practice, and therefore the opinion can only be taken for what it is worth.

2598. (*Mr. Little.*) Are the paved roadways which run round the market not streets in the ordinary sense of the word?—They are streets by usage.

2599. Are they repaired by the local authority or by the owner of the market?—There has been a little confusion about that. Within my own time all the new laying that has been done has been done by the Duke. Within the knowledge of people living a certain strip of it was done by the local authority; but quite within modern time, that is to say, under my management, all the new roadways have been made or the re-laying has been done by the market authority.

2600. But at no very distant date the parish repaired a part of the roadway which is included within that pink quadrangle?—Yes, that was so.

2601. (*Sir Thomas Martineau.*) Did you pay the parish a sum of 350*l.* a year towards the repair of those streets?—No. I think that 350*l.* a year was in aid of the parish rates. There was formerly a contribution paid towards the sweeping of the streets leading up to the market. The market authorities have always swept within the market area, and we do all the cleansing within the market area; but I have lying on my table at this very moment a letter from the local authority asking whether, in view of the pressure that there is upon them from the Strand and elsewhere for cleansing and so forth, I will not advise the Duke to contribute something in respect of the cleansing of the streets, the Strand and Bow Street, and Wellington Street, outside the market area.

2602. A previous witness mentioned that 350*l.* a year had been paid by the Duke to the local authority, as I understood for the cleansing of the streets, and that it had been discontinued?—Yes, that is so. It was discontinued a few years ago, not being considered any longer necessary. It was only a gift given at a time when there seemed to be a necessity for it.

2603. You did not do it in pursuance of any legal obligation?—None whatever; it was a mere voluntary gift.

2604. (*Lord Balfour.*) You mentioned that under your charter you get the tolls from the vendor rather than from the purchaser of the articles; is there any principle underlying that?—Yes, it is under the regulating Acts. The principle underlying it is this: that ordinarily tolls are payable by the purchasers for the use of the market. I happen to know the fact that the first regulating Act in the early part of this century was merely a reflex of the custom that had sprung up in the market of taking the toll from the seller and not from the buyer.

2605. Is there any objection made to that system?—Not at all; it is quite a wise one.

2606. And you attach value to it?—It is wise in every way; it is for everybody's advantage that it should be so.

2607. Have you any figures that would show to the Commission a comparison of the state of the volume of trade in 1828 and the present time?—I do not think I have; I could look in my office, there may be returns which would show it.

2608. Of course the volume of trade is increasing very rapidly?—Very rapidly; it increases with the population of London, and in accordance with the ordinary law of supply and demand.

2609. You said, did you not, that you hoped the extension which you had recently undertaken and were now undertaking would be sufficient to cause the crowding of streets round about to cease?—So far as the vendors are concerned; but the streets round about will be filled by an increased number of purchasers. The Commission will readily understand that a market such as this is made up not only of the vendors but of the purchasers. Those purchasers buy goods, which goods have to be taken away. Nearly every purchaser brings a vehicle of some kind into which to put his purchases, it may be a van or a cart, a two-horse van, or a single horse cart, or a donkey barrow, perhaps.

2610. How do you draw a distinction between the obstruction caused by the purchasers and that caused by the vendors?—It is a very simple distinction. I may, perhaps, give the most familiar instance. A waggon-load of cabbages is drawn up, we will say, by way of illustration, at the end of Russell Street. Russell Street is the main thoroughfare leading into the market, and if a man draws up there with a waggon-load of cabbages which he is selling from the tail of his waggon, he remains there for several hours, probably from 4 o'clock in the morning, when the market opens, till 9 o'clock, when it closes. He is there permanently fixed, and it becomes a shop for the moment, and with the people congregating about the tail of the waggon and buyers coming up to him, and so forth, and distribution going on from the tail of the

waggon, congestion is caused at that particular point. Whereas the buyer comes and buys his dozen or two dozen of cabbages, takes them away, puts them into his cart, and is gone.

2611. The one is more permanent than the other?—The one is so to speak permanent.

2612. Then the expression of your hope that the obstruction would cease is confined to the vendors?—Yes, I have no control over the purchasers at all; they are the general public.

2613. Can you give us any figures to show upon what that hope is founded?—It is founded upon the experience of the latter part of the year since we opened that portion which we call the southern area. I may remark that the men who have these overflow waggons would have other waggons of their own within the chartered area. Those men are ready to go and take their waggons and congregate them all together, because it makes a better market for them than standing about singly.

2614. You could probably furnish the Commission at some time with more distinct figures as to the expenditure under the three heads of buildings, purchase of leases, and what you set down as the fee simple value of the areas?—I could have a valuation made of the fee simple value.

2615. I should not ask for a valuation; I should like to see your own estimate?—I am a lawyer and not a land surveyor.

2616. You mentioned the fee simple value, I think?—His lordship asked what was the capital expenditure represented by the market, and I mentioned it. I also gave the capital expenditure on the buildings.

2617. You did not give any figures as to the buying up of leases; could you do so?—I could, by reference to papers and books; I do not carry it in my head.

2618. As regards the fee simple areas, would you reckon them at their present value or at their value when the market was placed upon them?—I should think you must reckon them at their present value in the same way, as one reckons the value of the buildings that I am now putting up. I have spent 50,000*l.* on the flower market; that is the present expenditure. I pulled down houses and the ground was lettable. On that southern area I could put 30 houses, and it has therefore a building value.

2619. Could you build over the area which you have marked pink?—No, I cannot build over it except under the Act.

2620. Then it would not be quite fair to take the fee simple value of that as building ground at the present time?—I think if you were making an estimate of value in that direction it would be fair to take it. It would be put in this way, I think, perhaps: supposing that you were coming to me to buy it, supposing that the Duke wished to sell the market to you with the land upon which the market is held, the market being distinct from the land on which it is held—

2621. I should ask you to calculate it, should I not, upon the average annual drawings from the market, with a sum down for prospective increase?—I wish you would pay at that rate. If I may be permitted to say so, I do not think that that would be the way in which it would be valued.

2622. I want your view of it?—I think it would be taken at the fee simple value of it as building land; it is in a building locality.

2623. (*Chairman.*) But is not that land appropriated permanently to the market, and has not the public a right to see that the market is not taken away?—Yes.

2624. In that case it would not be utilised either by the Duke, or by any purchaser, as building land?—Certainly not; but when the Duke made an offer to the Metropolitan Board of Works to transfer the market to them, there was no question of value raised at that time; no price was asked; it was not made a condition in any way. But if the Metropolitan Board of Works had gone on with the negotiation and said, We will take over the market; then two expert valuers

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would probably have been appointed, and I suppose those gentlemen would have valued it in the way I am now indicating.

2625. (*Lord Balfour.*) But that is a different value from the capital invested by the Duke in the conduct of his market?—But the market stands upon land belonging to him. Markets may be held upon land that does not belong to the person who owns the market. The market right and the land upon which the market is held are two distinct things, and therefore would be capable of two distinct values. The market *qua* market would be valued as a going concern. The land upon which it is held would be valued as land, and the buildings would be taken as buildings.

2626. It is in order to get your view of what you put down as capital expenditure that I wished to ask you the question, and still would like to know what you would put down as the capital value invested by the Duke in the conduct of the market under the three heads. You have given me the buildings, you have promised the expenditure upon buying up leases, and I want to know whether you can give me the third item?—I can ascertain what one supposes to be the fee simple value of the land that is included in all these operations.

2627. (*Chairman.*) Is it not land, in whoever's possession it may be, which is saddled with the obligation to hold a market upon it, and which is therefore not to be treated as under any possible circumstances building land?—Yes; it goes under that general phrase which one has used before, "dedicated."

2628. (*Lord Balfour.*) As it is dedicated, would it not in your opinion be fairer in stating the capital expenditure incurred by the Duke or by his predecessors in starting the market, to take, at least for the purposes of comparison, the value of the land at the time at which it was so dedicated?—No one can find out what was the value of land in London in the reign of Charles II.

2629. Perhaps I am not entitled to ask your opinion, but I wish to know whether it would not be possible to take that as a method of calculating it?—With the utmost deference, I do not think it would.

2630. (*Sir Thomas Martineau.*) Does it not all come to this: that the only real way of calculating the value to the Duke of Bedford is to base it upon the revenue that he gets from it as a market?—That would be one short and ready way of doing it; and if we had 30 years' purchase on the present income it would be a very good way.

2631. Is there any other fair way of getting at the value?—It is conceivable that there may be other methods of arriving at it if it became necessary; but I think the method suggested by you would be a very ready way of getting at a value.

2632. (*Chairman.*) What officers are employed by the owner of the market in connexion with the market?—The officers exclusively employed are one superintendent, three collectors, four sub-collectors, one office clerk, one head porter, two attendants, one police sergeant, and six police constables. Those are exclusively employed in connexion with the market. Then the market is under my responsible control and supervision, and a great deal of what we may term the clerical work is done at my office, by my own staff, who are employed for other matters than the market.

2633. What are the salaries paid to the superintendent and staff?—The salaries to the superintendent and staff, exclusive of the police, amount to 1,631*l.* 4*s.*; and in addition to that there is a house rent free for the superintendent, and uniform for the superintendent and staff. The police are hired from the Metropolitan Police Force and cost 804*l.* 4*s.* per annum.

2634. What is the duty of the superintendent and his staff?—The superintendent and his staff allot spaces for growers and salesmen and higglers, direct the unloading of produce brought, collect the rents and tolls, and generally see to the good management of the market.

2635. Is the cost of the removal of refuse, and the cleansing of the streets in connexion with the market, borne by the owner of the market, or by whom?—All the cost of cleansing and removing the refuse within the market quadrangle, including the street way in the market quadrangle, is borne by the owner of the market.

2636. I believe you are willing to give us the average annual expenditure during the last three years for which the accounts have been made up?—The average annual expenditure on the chartered market for the three years ending December 1886 was 10,115*l.* 18*s.* 11*d.*

2637. That does not include the flower market, which is only just completed?—It does not include the flower market, nor the other areas which at that time had not been brought into use.

2638. That will, of course, add to the annual expenditure?—It will, and to the annual income.

2639. What do you take the addition to the expenditure to be, so far as can be judged?—The addition, so far as the flower market is concerned, which is actually finished and is now in a perfect state, will be about 2,000*l.* a year.

2640. Then we may take it that the annual outlay is, in round numbers, 12,000*l.*?—The annual expenditure will probably be this year and in future years 12,000*l.*

2641. Besides the receipts from tolls, rents, and stallages, we understand that there are no other receipts?—There are no other receipts. We bring them all under one or other of those heads.

2642. What do the tolls yield?—The tolls in the chartered market yielded 13,000*l.* on the average of three years, ending 1886, and the rents and stallages 12,303*l.*

2643. Therefore we may reckon it in round numbers as an outlay of 12,000*l.* a year, and an income of 25,000*l.* a year gross, with a probable prospective increase?—Yes, that is exclusive of the flower market and the other areas.

2644. (*Lord Balfour.*) I think the average expenditure for three years was only 10,115*l.*?—Yes, up to that date.

2645. The other 2,000*l.* is only prospective?—Yes, after 1886. Those figures were given up to the end of 1886. We are now in 1888.

2646. So that prior to 1886 the surplus of income over expenditure was over 15,000*l.*?—You are quite right. They are both given up to the same date, the end of 1886.

2647. (*Mr. Charrington.*) Does a return of 25,000*l.* represent a fair interest for the amount of capital that has been embarked in the market and the sacrifice that has been made of houses, which in fact form part of the capital of the market?—Those figures have reference to the chartered market, and the expenditure relates to the chartered market. If we are to include the flower market and those other areas which were not in existence for market purposes at the time when these figures were calculated, these figures would want readjusting; but up to the end of the year 1886 the figures stood as I have stated: 10,115*l.* the average expenditure, and 25,300*l.* the average income. That is exclusive of the flower market and exclusive of those additions which have been made since the year 1886. I can give the result of one year's working of the flower market, because the building is perfectly completed, and has been completed through the whole of the year 1887, and therefore we know what that is. The other areas that are still in the builder's hands we merely use as we can, little bits at a time.

2648. There was a large sacrifice of rental, was there not?—A considerable sacrifice. There were 30 houses, representing 3,000*l.* a year income at least on that area. That is gone.

2649. You will not regain that amount in tolls?—That will be lost, we shall never regain that.

2650. (*Chairman.*) I suppose we may take it that that extension of the market has not been undertaken

without a considerable sacrifice of personal income?—A great sacrifice; and the same with the flower market. Here again with this clearance which we are making there is a great loss of income. From those houses we were receiving rent. There was a very large hotel, the Bedford Hotel, which had some history of its own, and that has gone. There was also a block of houses, all of them yielding from 100*l.* to 150*l.* a year rent. Here again these houses (*pointing to the plan*) were let at 120*l.* The guardians' office was let at a very low rent, because it was let to them as guardians. The old Bow Street police court has disappeared in this clearance.

2651. What are the highest tolls, rents, and stallages which the owner is empowered to levy in the market, and what are the tolls, rents, and stallages actually levied?—Taking those two divisions, rents and tolls, rents are payable for shops, offices, buildings, and cellars; also for spaces known as growers' yearly cart stands and yearly pitching stands; also for spaces known as higgler's stands, or daily stands. Tolls are paid on casual waggons and on all produce brought into the market other than that brought by growers having yearly stands who pay no toll. Under the regulating statute no scale of rents for shops and buildings is given. These are let at rents varying with the position or size and other circumstances connected with the premises. The highest rent paid for a shop with offices and cellarage is one that lets for 8*l.* 8*s.* per week. The lowest rent for a shop is 12*s.* per week, the occupiers, of course, paying no rates or taxes, or repairs, or for water, or for the general gas, all of which are paid for by the market management. Under the regulating statute the highest rent fixed for a grower's pitching or waggon stand is 1*s.* per square foot uncovered, or 1*s.* 3*d.* per square foot covered. The rent so fixed is the rent that now is and always has been charged. The stands vary in area to suit the convenience of growers, the rents varying accordingly from 1*l.* 2*s.* to 15*l.* 11*s.* 6*d.* per annum. The growers who occupy these yearly stands are free of all tolls on goods grown by themselves and sold upon their own stands. The higgler's daily rent is 1*s.* per stand, which was fixed by the Act of Parliament, and had been so before the Act was passed. I happen to have the means of knowing that the tolls we are now collecting are just the same tolls as were collected in the time of Charles II., and have been uniformly collected right through from the time when the charter was granted. The highest toll empowered to be levied in the market and actually levied is the sum of 3*s.* per waggon and 2*s.* per cart

laden with holly and other evergreens. The lowest toll under the Act for a cart standing is 4*d.* The lowest toll paid by custom for a cart is 6*d.* All goods that are pitched (except growers' stuff on the growers' yearly pitching stands) are liable to toll. This toll varies with the commodity, as for example, 1*s.* 2*d.* per ton for potatoes when reckoned by the ton, or 1*d.* per sack when reckoned by the sack; 4*d.* for a chest of oranges, and 2*d.* for a box of oranges; peas and beans $\frac{1}{2}$ *d.* per sieve or bushel, or 1*d.* per sack; apples, plums, and other articles of a like nature, $\frac{1}{2}$ *d.* per sieve or bushel; carrots, 1*s.* 6*d.* per score dozen bundles. I give those as examples of the varying nature of the tolls. Since the passing of the regulating statutes changes have taken place in the form in which different descriptions of goods are sent to the market, especially since the introduction of foreign goods. The statutory table of tolls is not now strictly applicable in the letter, but by practice and common consent all pitched goods for toll purposes are brought within one of the following denominations:—Boxes, 2*d.*, half-boxes, 1*d.*, lemons in cases and barrels of apples, $\frac{1}{2}$ *d.* (That $\frac{1}{2}$ *d.* is arrived at in this way. A $\frac{1}{2}$ *d.* a bushel is the standard toll. So wherever a thing is capable of being made into a bushel measurement $\frac{1}{2}$ *d.* is taken. These barrels of apples are said to contain three bushels, and so they pay $\frac{1}{2}$ *d.* a barrel.) Then bushels or sieves pay $\frac{1}{2}$ *d.*; sacks or hampers, 1*d.*; crates, 2*d.*; tons of potatoes, 1*s.* 2*d.*; strawberries in rounds or boxes, 2*d.* These tolls are all paid by the vendor, and not by the buyer.

2652. Under the Act you have power, I apprehend, to make byelaws and regulations?—We have power to make byelaws under the last Act of George IV.

2653. And I think you have handed in a copy of the byelaws?—I have handed in a copy of the byelaws that were made immediately after the passing of the Act. The owner of the market has power, under the Act, to vary the byelaws, but no variation has ever been made.

2654. Are any records kept of the prices of the commodities sold in the market?—No official record is kept of prices but only of the quantities, because the rents and tolls are quite unaffected by the prices of the commodities. The prices vary during the day. The price in the morning is different from the price in the afternoon.

2655. I suppose that in regard to the articles sold in the market it would be extremely difficult to fix an average price?—I think it would be an absolute impossibility.

The witnesses withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

ELEVENTH DAY.

Friday, 2nd March 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. THE LORD BALFOUR OF BURLINGHAM.

SIR JAMES PORTER CORRY, BART., M.P.
MR. JAMES ALLANSON PICTON, M.P.

MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. JOHN ROBERT BOURNE and Mr. JOHN ASSBEE further examined.

2656. (*Chairman*.) Is there any explanation that you wish to offer as to the evidence which you gave yesterday?—One question was asked as to the amount which had been paid to buy up outstanding interests

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in order to make the enlargements that are now in progress. I could not answer that question with any degree of certainty at the moment, but I find on reference to my papers that a sum of 32,300*l.* has been

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expended in buying up outstanding interests to enable the clearance to be made at the present time instead of waiting for the falling-in of the leases. Then another question was asked, whether I could say how much rent had been given up by reason of the houses being taken out of occupation and the open spaces being made. I have not been able perfectly to verify that, but roundly speaking 5,000*l.* a year has been given up, so that the income from rent will be 5,000*l.* a year less than it was formerly. We are making great clearances in order to enlarge the market. In order to do that a number of houses have been pulled down. For instance, there were 30 houses in that quadrangle (*pointing to the plan*), all of them paying rent.

2657. (*Mr. Picton.*) Then the rental is diminished by extending the market accommodation?—Yes, and the same here (*pointing to another part of the plan*); all this was paying rent. That rent is lost.

2658. (*Chairman.*) I believe you are not able to tell us in what ratio the market tolls and dues stand to the value of the marketable commodities on which they are levied?—The market tolls bear no appreciable ratio to the value of the commodities sold, the sale price being wholly unaffected by the tolls. That is a fact that is very easily shown, and instances can readily be given. For instance, the toll on a ton of potatoes is 1*s.* 2*d.*, and that is less than a farthing for 28 lbs., and of course there is no coin that would represent the ratio between the value of a single pound of potatoes in the consumer's hands and the toll paid. The price of a ton of potatoes of course varies with the season, with the quality of the goods, and with the quantity that happens to be put into the market on any given day. The price varies from 2*l.* 10*s.* to 5*l.* per ton, but the toll is the same whatever the price may be.

2659. But, taking the price at the lowest, when therefore the toll would be relatively highest, it comes, does it not, to 1*s.* 2*d.* upon the value of 50*s.*?—Yes.

2660. That is something more than one-fiftieth?—About that. Then as regards other things, take, for instance, a handle basket of grapes, in which there would be from 20 lbs. to 25 lbs. in weight; the toll for the whole is a penny. The wholesale price will vary from 1*s.* to 5*s.* per lb. according to the circumstances.

2661. In that case the toll is actually unappreciable?—It is actually unappreciable. Taking commoner articles, another instance may be given in the case of the toll on a waggon load of carrots that may be brought in by a grower not having a yearly stand. The growers that have yearly stands pay no tolls whatever. The toll for a waggon load of carrots is 2*s.* 6*d.* under the regulating statute. That waggon contains about 80 dozen or 960 bunches. The selling price from the waggon will be on an average 5*s.* per score or 3*d.* per bunch. The toll is about $\frac{1}{4}$ *d.* per score or $\frac{1}{30}$ *d.* per bunch.

2662. Therefore, if the toll were entirely removed it would not make any appreciable difference in the price?—It could not make any appreciable difference in the price. The toll is not paid by the buyer, but by the vendor in the shape of rent for his shop or his stand, as the case may be; the toll becomes, practically, the vendor's rent for his standing, and is not paid by the purchaser. In the case of common things, like currants again, the toll would be about $\frac{1}{80}$ *d.* per lb. There is no appreciable ratio between the two things.

2663. Can you tell us within what distance and during what times the market rates are enforceable with regard to the sale of goods outside the market buildings?—The market area and the market buildings are not synonymous. Many of the transactions are outside the market buildings although within the market area. That is more apparent by a reference to the plan. The only buildings are those that are hatched; all the rest is area, but not building. In several of the shops belonging to the Duke, immediately near to but not within the market area, the tenants are permitted to sell produce, and are regarded

as market tenants, and pay the tolls the same as in the market; and in one adjoining street there are a few shops not on the estate, the occupiers of which sell market produce without interference from the market owner.

2664. You say that the tenants are permitted to sell produce in those shops belonging to the Duke in the immediate neighbourhood of the market; does that imply that he would have a right to prohibit the sale?—Your Lordship will see that there is a distinction where a man is tenant of the house carrying on a trade that may or may not be permitted or prohibited according to the terms of his lease. I might give this as an illustration: in Russell Street there are two shops. The people who occupy those houses use the upper part of the houses as offices. In the lower part they have stores, and they carry on their sales by auction in the long market; but the two are worked together. I gave the answer in order to be quite accurate and to give the fullest information as to this question.

2665. As to the question of rents and tolls, we had a complaint from a witness yesterday, that the rents have, in many cases, been doubled, and in some cases nearly trebled, at every change of occupancy; is that a fact?—I really cannot undertake to answer a vague general question. If any specific instance can be stated I will answer it. As a general question wanting a mere general answer, I may say that when tenancies have changed there have been changes in the rents. As an illustration, I may say that a man occupied a shop in the centre row (which, as you are aware, is for retail purposes) probably for over 40 years. He continued to occupy it at the same rent that he paid 40 years before. He died there on the premises. The shop was closed after his death. It was then put up to tender to anybody who might choose to tender for it, and the rent that was tendered was certainly very far in excess of the rent that this good old man had been paying that had been fixed 40 years ago and had remained unchanged as long as the man remained in occupancy. My practice is when shops become empty to put them up to tender.

2666. And so to get at the fair market value?—Yes.

2667. I presume we may take it that the market value has increased in the last 30 or 40 years in consequence of the large increase of population?—There has been a general increase in all rents everywhere, and anything in the market that consists of rent, naturally partakes of that same increase. But the tolls are fixed; they are the same that were paid in the reign of Charles II. Notwithstanding the change in the value of money, the tolls remain unalterable.

2668. We had a complaint yesterday that salesmen and others had no means of ascertaining what tolls they ought to pay, because the rates were not put up in a place where they were visible, or at least conspicuous; is there any truth in that statement?—I have never heard of any complaint from any salesman, there never is any difficulty; we never have any discussion with any salesman. The tolls are painted up. Possibly at the present moment they may be wanting to be repainted.

2669. But it is the first time that you have heard any complaint of the kind?—I never remember any complaint. Having asked our superintendent, Mr. Assbee, who is in daily contact with the salesmen, whether there is any complaint, I find that there has been a remark that the old table of tolls which was painted up wants re-painting, and that will be done in the ordinary course of painting the market. There is a market office where the superintendent's staff and clerks are always, and the tolls can always be had by application; but as I have already stated there has been no alteration in the tolls.

2670. We have had another complaint made to us that the tolls are beyond the rate authorised by the Act of Parliament; have you heard any complaint to that effect?—As a general answer I should say no. We collect the tolls now that have been collected

through the ages. As you will readily understand, of necessity certain changes have to be made, because of the different methods in which produce is brought to market. For instance, it used to be the fashion to bring things in on the head, and there was a certain toll called a head load toll of so much per head load. That is dropped; there is no such thing as a head load now. Then again, things were brought into the market by maunds, a measure that has ceased to be. Then they bring goods in now in small packages for convenience of conveyance by rail. Our difficulty is to reduce them to the common denominator of a bushel, and as you will readily understand there may be occasionally differences of opinion whether three little baskets make a bushel or whether it should be four little baskets. But with such an exception as that I am not aware that there is any suggestion that there is any variation in the toll, or that any toll is taken that is not authorised.

2671. The charge by the Act is one halfpenny per bushel, is it not?—Per bushel or sieve. There again there is a difficulty about that expression “sieve” or “bushel.” Some growers have a wicker basket which passes current under the name of a sieve which does not contain the same quantity as the standard bushel under the standard weights and measures. It is almost a colloquial phrase now, and our difficulty is to get these things down to the common denominator of a bushel. I may give as another illustration of that; the “barrel.” The apples that come from America come in barrels. Those barrels were unknown at the time of the passing of the Act, and are not provided for by the schedule to the Act; there is no such thing as a barrel of apples there. What is done is to reduce the barrel of apples to bushels; and it has been found that, ordinarily speaking, taking one cargo with another, the barrels contain on the average three bushels; and so the system has grown up of charging 1½d. per barrel for a barrel of American apples. Then they are beginning to send apples from Canada; but they do not send them in quite the same sized barrels as they send them in from the States. A discussion I believe is likely to arise between some of the salesmen and our superintendent as to whether these Canadian barrels do or do not contain the three bushels. If it is found that on the average they only contain two bushels they will be treated as two bushels, and only 1d. will be charged for them; but until that is ascertained they will go on paying 1½d.

2672. I understand the complaint made to us to be this: that the charge of one halfpenny which ought to be a charge per bushel is imposed where the quantity is much less than a bushel; is that so?—I think in the way that I am stating where things are brought in in packages or baskets or what not containing less than a bushel there is a difficulty now and again in bringing them up to the denomination of a bushel; but ordinarily it is a convenient thing to take the halfpenny; where the toll is so small it is hardly possible to go lower.

2673. Another complaint has been made that in the case of fruit sent in from abroad toll is first paid by the importers, and that if such fruit is sold and delivered to purchasers holding stands or having shops in the market, a second toll is then taken from the buyer; is that the case?—That is not true. Under the Act we are entitled to take toll upon all goods that are sold that are not the produce of a man having a yearly stand. That toll is taken from the vendor and not from the buyer. The exception to that is in the 22nd section of the last regulating Act: “Be it further enacted, that from and after the passing of this Act no toll shall be payable by any person who shall buy any fruit, flowers, vegetables, roots, or herbs, within the market for or in respect of such fruit, flowers, vegetables, roots, or herbs sold by him, her, or them, bought within the market, unless the same shall be by him, her, or them again pitched, placed, exposed for sale, or sold within the market;” the meaning being that the

purchaser as purchaser pays no toll. A vendor pays toll for the privilege of selling. People buy in the market and sell again in the market at another part. I may state that as a matter of fact our practice has been not to take toll from persons who buy in the market and sell again in the market, with a very few exceptions. I do not mean that there are exceptions of persons, but there are one or two articles upon which toll is taken, whether the goods have been bought in the market or brought into the market from without, although the Act authorises us to take toll from persons selling in the market when they have bought the goods in the market.

2674. You have the right to do it, but you do not do it?—Not as a rule. There are one or two articles concerning which that right has been exercised. Peas, for instance, are brought into the market and sold, and when they are sold again the second vendor pays for the privilege of selling. Since the introduction of the foreign trade, as it is called, some of the salesmen in Covent Garden Market are also salesmen in the city; they are men who sell what are technically called Spanish goods and French goods, such things as oranges and lemons, Spanish onions, foreign grapes, and things of that kind. Those salesmen sell both in the market and in Pudding Lane, or at the dock side. When the goods are brought in from them by persons to sell again in the market we take a toll upon those goods; but it has not been the practice to take the toll upon English produce brought into the market and sold in the market to people who have again sold it within the market area, though by law we are entitled to do it. It is curious that that clause which I have read from the last Act was a clause in the former Act; and I happen to know that when this Act of 1828 was being passed it was fiercely fought out in Committee as to whether or not the clause in the old Act should be re-enacted, and it was considered by the Committee and by the House that it was a proper clause to introduce, because, inasmuch as the toll was payable by the vendor and not by the purchaser, it was in the nature of rent for the occupancy of the ground for the purpose of selling. The old clause in the Act of the 53rd of George III. ran just in the same way, that no tolls shall be paid by any person buying unless the same shall be by him, her, or them, again placed, pitched, or exposed for sale or sold within the said market. So that there is no question about the right; but the practice has been the other way, that we have not taken the toll, with a few exceptions.

2675. To what extent are sales on market days otherwise than in shops or in market buildings prohibited?—It never has been found necessary to enforce the market owner's rights in respect of the very limited sales that take place outside the market area by the few people that I have referred to as occupying houses in the adjacent streets. It is so limited that we do not interfere with their selling in shops. We think we have the right, but it is not worth exercising.

2676. Is there any regulation of the market requiring any transaction to be made through particular agents, factors, or brokers?—None whatever. Producers, who do not themselves attend the market, select their salesmen or agents with the most perfect freedom. These is the keenest rivalry among the salesmen, resulting in advantages to the consignors. The transactions are so open that the average prices realised on a given day can be known to the world, and any complaint of irregularity or default on the part of a salesman is investigated by the superintendent; or if it was of a grave nature it would be investigated by myself; and repeated irregularities on the part of a salesman would lead to his expulsion from the market.

2677. That, I presume, has not happened often?—Very rarely, indeed; and it is very rarely that any complaint even is made of supposed irregularity. I suppose that in the last five years I may have had two complaints from foreigners who perhaps have not

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quite understood the English practice, and thought that they did not realise quite the same price that their next door neighbour realised, not understanding the fact that goods sold at one hour in the day will perhaps fetch a different price from goods sold at another hour in the day. They had heard that their neighbour had received so much from one salesman and they had received so much less, the explanation being that the sales did not take place at the same moment of the day, nor were the goods quite of the same quality.

2678. I think we need hardly ask you from what districts the goods sold in your market come, because they come from all parts of the world?—They come from all parts of the world.

2679. Now then, as to the accommodation afforded by the market; has it been complained of as insufficient or as unsuitable for the local trade?—Of course "local trade" has very little significance as applied to Covent Garden Market. There is and always has been a local trade in the sense of supplying more or less in a retail way, the wants of the immediate neighbourhood, the large hotels of the West End and the central districts of London; and for that class of business there is ample accommodation. But the chief business of the market arises from its being, as it has been for some generations, the great central market of London; and that business is of a wholesale kind for the supply of commodities for other markets and for distribution through the larger part of the metropolitan area. People buy in Covent Garden Market and take the goods across to the Borough Market and sell them. People buy and send down to Birmingham, Manchester, Leeds, and to the provincial markets; and then, of course, it is the centre of distribution for practically the greater part of the metropolitan area. The rapid growth of London within modern times has, of course, brought with it a corresponding increase of business in the market under the ordinary law of supply and demand. Then the introduction on a very large scale of the sale of foreign produce, which is comparatively modern, has largely augmented the business; and the extraordinary development of the flower trade within the last 25 years has added considerable pressure and inconvenience both to the salesmen and buyers. The original chartered market area having become wholly inadequate for the business brought into it, and the Duke, happening to be the owner not only of the market but of the properties surrounding it, he has voluntarily, and at considerable cost, made arrangements by which parts of the surrounding property can during pleasure be used in aid of the market, giving thereby largely increased facilities for business and greatly augmented benefits to the public.

2680. I suppose we may take it, that if the market had been in the hands of any public authority, and the surrounding house property in private hands, the extension of the market would have been a much more expensive business to the public than it has been under the actual circumstances?—Under the actual circumstances it has been no cost to the public. The whole has been done by the Duke at his own cost, and with exceeding liberality in expenditure. His Grace's desire is that anything he might do should be done very well, and without any cost to the public. We have widened several of the streets leading to the market at the cost of the Duke, and the widening of the streets, and the giving up of this large rental which was mentioned at the beginning of the sitting, has been for the purpose of affording this increased accommodation. With regard to the character of the buildings that are being put upon the ground, I may quote the new flower market which is quite completed, as an example. The Duke's good taste, of course, would not permit a building to be put up which was not worthy of the position; and the readiness to incur expenditure in order to secure not only a very handsome, but a very substantial and commodious building has led to the erection of that flower market at a cost of 50,000*l.*, and exceedingly good it

is for the public, both for the buyers who resort to it and for the men who sell there, and the flower growers. I scarcely ever go into the market without having congratulations from the flower growers upon the facilities that they possess now for displaying their goods and for transacting business. And I may make the same remark with regard to the floral hall which is now being adapted for a large fruit market. The Duke's desire is that in the Floral Hall everything should be done that is fitting and proper; and the great personal interest that his Grace takes in the matter secures the work being very well done.

2681. We understand that the Duke has kept the market under his own control, and that no lease of the tolls or other rights has been granted for a considerable time?—That is so. For many years the fashion was to let the market on lease to a lessee at a rent. But when it became necessary in 1825, when I think the last lease expired, to re-arrange the market, and put up the new buildings and so forth, the then Duke took it into his own hands, and from that time forward it has been entirely managed by the Duke's agents.

2682. We understand that there have been some negotiations between the Duke and the Metropolitan Board of Works in regard to a possible purchase of the market; will you state what took place?—Yes. In 1882, when the question of the enlargement of the market was first raised, the Duke directed a letter to be sent to the Metropolitan Board of Works to inquire whether that body wished to acquire Covent Garden Market as part of any general scheme for markets in London. The Duke felt that if the Metropolitan Board of Works, being the only municipal authority that existed of a general kind as the representative of London, had any idea of re-arranging markets for London or dealing with that question, it might facilitate their dealing with it if they knew that the Duke would be willing to let the market go over into their hands if they so desired it. The Board gave very long and mature consideration to the question, and they ultimately stated that there was no desire to take over the market. Then the Duke was pleased to direct me to inquire of the Corporation of the city whether they would like to take over the market as part of their scheme for markets. It is a matter of history, of course, that they were at that time enlarging their market in Smithfield and making an attempt to establish a vegetable market there, which proved a failure, although they are going to repeat it again now, I believe. But it was thought that, perhaps, the Corporation might like to take Covent Garden Market under their control and deal with it; and they were informed that if they liked to take the market and wished to enlarge it every facility would be given by the Duke as the owner of the adjoining property for the sale of the adjoining houses, or that every facility that could be afforded in the way of enlargement would be given them. The Corporation went into the thing very minutely, and for some time I was under the impression that they would determine to take it over. But ultimately they came to the conclusion that it was inexpedient to acquire the market as it was outside the city area; and they then afterwards directed their attention to the improvement of the market in Smithfield and are again intending to make a vegetable market there. That being so, nothing was left but for the Duke, in his own private capacity, to give increased facilities by pulling down houses and enlarging the area. If there should be any duly constituted municipal authority wishing to obtain the market the Duke would not object to sell; but his Grace would not part with the property to a private speculator either by way of sale or on lease. There have been frequent applications from private speculators to take it over, but they would not be listened to for a moment.

2683. The Duke has been and is willing to part with it to a public authority, but not to a company?—Not to private speculators, but to any duly constituted public authority.

2684. I suppose the existence of a public market in private hands involves certain difficulties in the matter of police, lighting, water supply, sanitary arrangements, and regulation of traffic which you consider it desirable to avoid if they could be avoided?—Difficulties do crop up in this way. Take, as an illustration, the matter of police. Under the Market Act we have power to appoint constables to aid in carrying out the regulations and byelaws of the market. For many years constables were employed, but some years ago it was thought desirable to abolish those constables and to hire from the metropolitan police a certain number of their men, the authorities at Scotland Yard agreeing for a certain sum of money per annum to keep a sergeant and six men always on duty in the market. This difficulty arises: those police constables are under police regulations and police law; and the police regulations and police law do not quite coincide with the market regulations and the market byelaws or with the market statute. Now and again a little difficulty arises. For instance, in the case of a prosecution, if we want to prosecute for an offence against the market law the police authorities are always shy of doing it because they have no forms applicable for such a prosecution. They have the police forms. Therefore the effort is always made by them to bring every offence down to an offence under the Police Acts. It works fairly well, taking the year in and out, but now and again a little friction arises, because there may be an offence against the market byelaws which is not an offence against the police law. Then again, as regards the actual infliction of fines, under the market statute there is a table of fines for offences. That table of fines is a different table from that which obtains under the Police Act. We do not mind so long as an offender is punished, whether the fine is paid under our own special Act or under the Police Act; but now and again there is a little friction of that kind which would probably be obviated if the market were in the hands of the metropolitan authority.

2685. I think we may infer, not only from your evidence but from the action that the Duke has taken in regard to offering this market for sale, that as a general question you would consider it better that a market should be in the hands of a public authority?—For some reasons, certainly. I am not sure that it would be in the public interest and that the public would be the gainers. I think that in the case of a market in such hands as the Covent Garden Market is, the public are the gainers to a greater degree than they would be if it were in the hands of any public authority. As an illustration, with regard to all this enormous outlay that is being made, that is being done freely and voluntarily, and not at the expense of the ratepayers or of the public money. If the market were now in the hands of a public authority all the money that is now being spent would have to come out of the public purse; and to that extent the public would be losers of the money. Then with regard to the accommodation, I think they have more accommodation afforded, and the regulations are worked with a greater degree of consideration for the public good than they would be if the market were in the hands of any municipal authority. But on the other point of the absence of authority, a private owner cannot have that authority which is generally given to a public body. For instance, with regard to the approaches to the market, the moment I get beyond my chartered area I am powerless, and can do nothing. Then it falls into the hands of the local board or of the police. Then comes at once the divided authority, and unless a very considerable amount of tact and judgment were exercised friction would arise. Then again with regard to drainage, I drain my market, but I have ultimately to end my drains in the public drains. I cannot go beyond the limit of my area, so that I have to go to the local authority to drain. Cleansing, of course, is a thing which is by itself; you can effect that without any application to the local authority. In the matter of

widening the streets but for the simple accident of the Duke being the owner of the property immediately surrounding the market I could not widen the streets unless through another authority.

2686. If the market had been in the hands of anyone who was not the owner of the surrounding property I think we may take it that very considerable inconveniences would have arisen?—Undoubtedly very considerable inconveniences would have arisen.

2687. (*Lord Halfour.*) You said twice in the course of your evidence that extensions and improvements made by the Duke are made without any cost to the public; how do you make that out?—The Duke pays for them out of his own pocket.

2688. But he gets a revenue from the market?—We get a revenue from the market unquestionably.

2689. Then that revenue may be said to come out of the public pocket, may it not?—Not at all.

2690. Why not?—Because that revenue is paid by the tenants of the ground.

2691. But ultimately it is paid by the consumer of the article, is it not?—I think not any more than it is paid by the consumer who buys a thing in a shop in Parliament Street or in Westminster Bridge Road. The vendor provides the shop to sell in, and he pays his rent.

2692. He pays the rent out of the profits made out of the consumer, does he not?—Of course in all matters of trade between vendor and purchaser the vendor makes his profit from the purchaser. In that sense it is so.

2693. I am not saying that there should be no toll, but if there were no toll of course the vendor could afford to sell at a cheaper rate?—In a market he would not.

2694. Why not?—Because the prices paid in the market are totally unaffected by the cost of production in the way of offering the article for sale. If a thing is being sold by open competition in a market it makes no difference whether the man who has brought it to the market has paid for a waggon with two horses and paid a waggoner 2*l.* a week, or whether the same man has brought it in a cart drawn by a couple of donkeys and driven by a man that he has been paying 15*s.* a week to.

2695. Quite so, on the individual transaction; but if over a series of individual transactions any individual ceases to find that he is making a living, of course he gives up the business?—In that case he gives up the business.

2696. And one of the items which he has to take into consideration in calculating the whole cost of producing and selling his produce, whatever it may be, is the toll which it costs him to expose it in the market?—A man has to recoup himself in some shape or other for the cost of production. Whether it be in the shape of rent or wages, or manure, or seeds, he has to get a return for it.

2697. I think there is no difference between us upon this point. I am not saying that toll is a wrong thing, but if there was no toll the cost of production and if selling would be less, would it not?—Obviously in the same way that if there was no manure wanted then the cost of production would be less, and if no wages had to be paid to the men, the cost of production would be less; that is to say, if the fruits of the earth grew as they do at Tahiti.

2698. I think we are quite at one upon that point; but if that is so, then I am surely right in saying that ultimately, in some form or another, these tolls do come out of the pockets of the public, because the public are all consumers?—I do not agree with you as to the sense in which they come out of the pockets of the public. They come out only from the pocket of an individual who happens to buy. When money is spoken of as coming out of the pocket of the public, I understand that expression to cover only such expenditure as is met, for instance, by rates or taxes; that is payment by the public. The payment by an individual for buying a bunch of grapes is a separate

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and individual transaction ; it is not a payment by the public.

2699. Then the tolls do come out of the pockets of the consumers?—I say not.

2700. Then out of whose pockets do they come?—Out of the producers' pockets.

2701. How do you make that out?—Because the producer pays them, and he gets then what price he can. The price is paid by the consumer at the market price of the day, which happens to be determined by questions wholly apart from the cost of production.

2702. And if he fails to get back his outlay out of the pockets of the consumer, he must give up business?—No doubt.

2703. And in that outlay are included the tolls?—The toll lessens the profit of the producer.

2704. And the Duke is making one year with another about 15,000*l.* a year out of the market?—Yes.

2705. With regard to the complaints which were made the other day about the measures, I understand the toll to be a halfpenny on a bushel or sieve?—Taking it broadly, that is the standard toll.

2706. The complaint is, as I understand it, that when the boxes which contain these perishable articles come in, they are often much smaller than a bushel, and two or three or four of them may be included in a bushel?—Yes, that is so.

2707. Is it the case that there never is a charge of a halfpenny upon each of these small separate packages?—I assume that if they approximately contained a bushel, they would be charged a halfpenny. Where obviously they do not contain a bushel, two, three, four, or even perhaps five, and sometimes six, of these small packages, are put together.

2708. If a package contained three-quarters of a bushel, it would be charged as a bushel, and if it contained a bushel and a quarter, it would still go for a bushel?—Yes, forced by circumstances, owing to the changed methods of sending produce.

2709. I suppose the change has been very considerable since 1828 in the way of sending produce?—Very considerable. There is one very striking illustration in our list of tolls. For instance, there is a toll of 4*d.* for a chest of oranges. A chest of oranges is never sent, it is entirely dropped. There is no such a thing as a chest of oranges. There is a charge of 2*d.* for a box. A box seems rather a vague term. What is a box of oranges? From one port in Spain they send boxes of one size, and from another port in Spain they send boxes of a totally different size.

2710. And I suppose the inconvenience of the present system is considerable?—No, it is convenient in this way, by the readiness with which both salesmen and the market management reduce all the things to bushels without much inconvenience.

2711. It would be more convenient, would it not, to bring your charges into conformity with modern practice?—We do bring them into conformity with modern practice in that way by bringing the things to the standard of a bushel. In the same way with potatoes; potatoes are so much a ton. It is convenient sometimes to send potatoes, not a ton at a time, but in sacks of a certain capacity which are known to contain so many lbs. weight.

2712. Do you think that you have not now sufficient experience to enable you to form a new scale of charges provided that it was expedient to apply for another Act of Parliament?—I think we have plenty of experience, and if we were going for another Act of Parliament we should have no difficulty in formulating a new scale of tolls, but it would be on the same basis.

2713. Would there be any objection to that, from your point of view?—We should not object at all. It would probably be a little saving of trouble.

2714. These tolls, of course, as you said just now, are very small, but still, in the aggregate, the sum is considerable?—The aggregate of business is considerable, taking the year through; but on an

individual transaction this halfpenny toll is infinitesimal.

2715. There is one very small matter on which the Chairman asked you. You gave an instance where in the Central Avenue, as I understood you, a place of business became empty which an old gentleman had held for 40 years, and it was put to tender; how are ordinary changes of tenancy regulated; does the sitting tenant make an offer, or are the shops always put up to open competition in that way?—We never make changes as long as the man goes on and follows the market regulations and conducts the business and has business to do.

2716. In this case which you gave, I suppose the man died and had no near relations?—Yes, he had given his property to his foreman. The old gentleman had realised a fortune of some 20,000*l.* in the shop, and he gave it to his foreman; and the foreman came and asked me whether I thought it was desirable that he should continue the business or retire, and I said, "Retire by all means and enjoy the rest of your days"; and the shop became empty and we put it up to tender.

2717. But there must be frequent changes of tenancy when the shop does not become empty, when either near relations or those who have been employed under the retiring individual wish to continue to carry on the business?—That is very seldom the case.

2718. How are changes of tenancy generally regulated?—The changes of tenancy are very few indeed and scarcely arise except, perhaps, from the bankruptcy or death of a tenant.

2719. And in those cases you take offers?—In those cases we do.

2720. After advertisement, I suppose?—There is a notice put up. If you walk down the Central Avenue you can see one now; there is a shop vacant. The tenders which I have received have been from tenants in other parts of the market wanting to have a better position. The man whose tender I am accepting is going to take the shop which is vacant, which is a better shop than the one he is occupying, and he will pay me the same rent that he is paying for the shop he has at the present moment. He being a tenant already in the place I transfer him to a better shop at the same rent.

2721. (*Sir James Corry.*) Do I correctly understand that the growers who pay the rent for the yearly stands pay no toll?—They pay no toll.

2722. A complaint was made with reference to the tolls for waggons; the toll according to the Act of Parliament was stated to us to be 1*s.*, and it was stated that in place of 1*s.* being charged you charge 2*s.*; is that so?—In some cases, for the casual waggons they do pay 2*s.* In some instances they pay 1*s.*

2723. How do you make the distinction?—It is difficult to know precisely what is the origin of the practice, but in those cases where men have had spaces allotted to them in the enlarged area by booking beforehand, as it were, they pay 2*s.* for their waggons. Those who merely bring their waggons, as in one of the instances that I gave yesterday, and locate them outside the market, still pay the toll, but they pay 1*s.*

2724. You have a system of registration in that way?—Yes.

2725. So that a man in the country who is coming to the market with goods can write to your office?—Practically they do do that. A man will send and say, "I want to bring three waggons" or "four waggons. Please allot space." It is appropriated to him, and he has it practically for two days. It covers two days' transactions.

2726. I observe that, in speaking of the market, you make a distinction between the market area and outside the market area. Are the tolls that you impose outside the market area precisely the same as those inside the market area?—Yes, the same. We have one uniform system of payment, except in the Flower Market, where, as I explained yesterday, we have specific tenants holding under agreements, and we do not take tolls in the Flower Market at all. They pay a yearly rent for the stand.

2727. And that includes the toll?—That covers everything, except in the case of the casual stands. We have certain casual stands, and there they pay a rent according to the extent of the stand.

2728. But I suppose any outsider is at liberty to come into your market and sell flowers or fruit, or vegetables, or anything of the kind?—If there is room for him. He has to apply to the superintendent, for the sake of order and regularity.

2729. But as a rule there is no prohibition against any outsider coming in and selling?—None whatever, nor is there any exclusion, the only limit being the capacity to take them in.

2730. Is it the case that the business conducted in the market has been falling off?—I am not aware that it is.

2731–2. It has been said that, owing to the number of fruit shops and flower shops in the West End and other places, the Covent Garden business has not been increasing?—The Central Avenue of the market, which perhaps is the part best known to the general public, in the later hours of the day, is formed of retail shops; and I have heard from the people in the retail shops remarks that, owing to the stores and other places at the West End, there are not so many carriage people coming to buy fruit and flowers in the Central Avenue as came formerly. But as a wholesale market there is no diminution, but rather an increase of business.

2733. Has that any influence on the rents in the central part of the market?—Most of the tenants in the Central Avenue are men who have been there for many years. Others have come in, as I have already explained, by tender.

2734. I presume you find that the tenderers are generally people who have already some connexion with the market?—Sometimes. In the most recent letting all the tenders have come from people already in the market. In the previous letting that I had the tender was from an outsider in business as a florist having a shop in London, and wanting to come into the market, and that brought a new man into the centre row.

2735. Do you take tolls on goods that are sold by sample in the market? Supposing that a cargo of oranges or anything of that kind came to the port, would a sample of the cargo be sent to the market for sale, and would toll be paid on the whole of the cargo?—I hold that we should be at liberty to collect the toll on the whole cargo under the language of the Act, and reasonably so, because the toll is upon all goods that are either exposed for sale, or that may be sold in the market. The transaction is in the market, the sale takes place in the market. The things may be actually knocked down under the hammer in the market. The bulk of the things are not brought into the market, because a man will dispose of a cargo of apples perhaps, of a thousand barrels; he brings samples into the market; he could not bring a thousand barrels, and it would be an absurdity to do it; but he knocks them down in the market. It is a matter, that at the present moment, is beginning to press a little upon us, because our practice has been, as a general rule, to take toll on the goods that have actually been brought, and therefore they have only paid upon the samples, but the new development, and the changed habits, and so forth of trade, particularly now that these men sell as they do, having a stock at the wharves, are raising the question, and we are at the present moment discussing it.

2736. I know that that trade is developing, and that is why I asked the question?—There are only just one or two men in the market, our biggest salesmen, with whom the question arises, and we are at the present moment mutually considering what is fair and reasonable to be done in the matter. Under the language of the Act, I hold that we are entitled to charge, and especially as the Act also gives us power to do that which we never do, viz., to examine the salesmen's books to see the things that have been sold. We always take their statement,

2737. Of course changes of trade take place very quickly in these days, and you try to adapt yourselves to the changes which do take place?—Exactly.

2738. I suppose the same thing would apply very largely to oranges coming from Italy?—It is in connexion with the foreign trade; it does not apply at all to the English trade. All the English trade is done at the market, and the goods are brought to the market. But this foreign produce they even sell by anticipation before the load is taken off the ship.

2739. Is there a large costermongers' trade done from Covent Garden Market?—I should hardly say that there is a large costermongers' trade.

(*Mr. Assbee.*) There is a costermongers' trade in certain articles, but not so large a costermongers' trade as is done at the East End. Some costermongers come up to buy the refuse. As a rule our trade is superior to that.

2740. (*Mr. Picton, to Mr. Bourne.*) You are thoroughly familiar with the whole history of the market, and therefore perhaps you can tell me whether there was a market there before this charter of Charles the Second?—So far as one can speak with any degree of certainty, and perhaps hardly with certainty, but the hypothesis seems to be this: that when London began to expand it grew westward from Temple Bar. As you may know, as a matter of history, in the reign of James, the citizens were very much concerned because people came and located themselves outside the city walls, and they were afraid that all the food of the city would be consumed by these foreigners, as they called them, and they petitioned the King to suppress these people. At that time along the Strand there were the houses of members of the nobility. Bedford House stood facing the Strand, and Lord Exeter's house a little to the east of it, and I think Lord Salisbury's on the opposite side. Behind Bedford House there were open fields. I gather rather from some stray remarks in some documents that have come before me that people began to settle themselves in those fields as being near to the houses that were springing up towards Temple Bar, and began to bring in market produce and became as it were squatters about in those open fields. Then the progress of building went on. The Earl of Bedford built the church now known as St. Paul's, Covent Garden, and formed the square with a piazza round it. The people still continued to come into the open square, and in order that they might be controlled and regulated a charter was granted to hold a market there, notwithstanding that the citizens had a charter authorising them to hold markets in the city and within 7 miles of the city. But this charter was granted to the Earl of Bedford to enable him to deal with this stream of tendency as it then was to establish a sale in this open field which he was then forming into this square.

2741. Then in that case the charter gave to the then Earl of Bedford a monopoly which had not previously existed, that is to say, it created a monopoly for him?—It created a market for the benefit of the population then beginning to grow in the immediate vicinity.

2742. But still the charter constituted that which had been an informal and open market previously, a monopoly of the Earl of Bedford?—I do not think it had been an open market. In the earliest deed that one has found about it there is a recital that in order the better to regulate people and to keep them from sitting about over this open square it was desirable that they should be put in order, and that their sitting should take place against the wall on the south side of the square.

2743. That was after the square was formed?—The square was in process of formation.

2744. But the market had been there, an informal market, before the square was formed?—I have no authority for saying that: but it is a mere inference on my part, that people flocked in just where they found an open field, and squatted.

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2745. The extension of the accommodation for selling does not constitute an extension of the market, does it?—No.

2746. The erection of that market for flowers is not really an extension of Covent Garden Market?—No, it is only giving greater facilities.

2747. That is to say, it is wholly in the power of the Duke of Bedford, irrespective of any Act of Parliament, to make what regulations he likes for that; the Act of Parliament does not bind him as regards the flower market, does it?—Neither the charter nor the regulating Act.

2748. And it is the same with regard to the Floral Hall?—It is the same with regard to the Floral Hall. Some lawyers suppose that it is an obligation on the part of a market owner to give accommodation for the business that is done.

2749. So I have understood; but I have always supposed that that was to be done by extending the market and all the attendant rights and duties attaching to it?—To have done that we must have gone for another Act of Parliament, pretty much as the Baroness Burdett-Coutts is doing with the Columbia Market. They are wanting to extend it, and she goes and gets power to buy up houses and to pull them down, and to form new streets, and so forth, and enlarge the market.

2750. You are evidently of opinion that for many purposes it is better for a market to be under public control in the sense of being under the local authority?—For many reasons it is desirable that it should be so.

2751. But you said that in such a case the public would not have the advantage of the erection of a building like that at the expense of a private owner?—No, certainly not.

2752. In your answer you seemed to imply that the people therefore would have to pay for the erection of such extensions out of their own pockets?—Yes.

2753. But you are aware, of course, that the usual plan is to borrow money, to be repaid by annual instalments, which would be paid out of the profits of the market?—I believe the corporation do that.

2754. Having regard to that, which is the usual mode of erecting public buildings, it would scarcely be accurate, would it, to say, that the people would have to pay for it out of their own pockets?—I think it is exactly the case of a school that is put up by a school board. There we say, and I think properly, that the school is erected by the public out of the public rates. Then the converse of that is where a man at his own cost puts up a school building, and provides a school for the use of the children in a given locality not at the cost of the public rates.

2755. Would you not recognise that there is a clear difference in this respect, that the school does not pay its own expenses, whereas the market pays a profit in addition to its expenses, which profit can be put by to accumulate for the re-payment of the capital outlay?—I do not think there is that difference to the extent to which my remark went. I say that in the present instance this has been done by the Duke and not at the public expense. He has done it probably as a judicious action in order to give greater facilities to the carrying on of the business of the market.

2756. In regard to some minor matters I do not yet understand the explanations that have been given in reference to the toll of a halfpenny per sieve or bushel. It has been stated to us in evidence that millions of packages of fruit, vegetables, and flowers, arrive here annually from France alone, more than a moiety of which contain a quarter or less than a quarter of a bushel each, and yet that a halfpenny each is levied upon them in contravention of the Act; is that so?—I think whoever made that statement must have made it in ignorance of the facts.

2757. It is not the case then that a toll of a halfpenny is levied on small packages?—When they are small, as I have already explained, they are added together, sometimes two, three, four, and often five

are added together into a bunch as it were, and treated as a bushel.

2758. Then if anyone says that there is a large number of instances in which these small packages cannot be put together to make up bushels or sieves, that is not accurate?—The superintendent suggests that any statement of that kind must have had reference to soft fruit.

2759. I believe that soft fruit was specially mentioned?—(Mr. Assebee.) It is impossible to bring soft fruit in bushels; it comes in little square pads or round baskets, as a rule.

2760. There is a halfpenny each charged for those pads or baskets?—As a rule it is.

2761. That accounts for what was told us then. There must be a large number of those small packages?—Pears come in boxes, and we put two and three boxes together. Strawberries, as you may have seen, come in little wooden boats; they come in packages of two fastened together, and we charge a halfpenny.

2762. But they contain less than a sieve?—Yes. I do not know whether you could get two of them in a bushel. Then salads are things which will not bear crushing, and which people pack very lightly. Asparagus and those things come in little square crates about 15 inches long and about 9 inches by 10 or something of that kind. If you took the produce out of those little crates and put them into bushels, you would never be able to sell them in that form. If you take the package as a package and put it into a bushel the package in some cases will more than fill the bushel. But the capacity of the package and not the capacity of the article inside the package is taken into consideration in levying the toll. In the case of small fruit, plums, for instance, which is no doubt what is referred to, a small crate of plums contains about 14 pounds, sometimes a little heavier.

2763. I think the two statements are reconcilable on the understanding which I believe you admit, that a large quantity of soft fruit coming from the continent is charged a halfpenny a package in whatever quantity they may be?—Yes, whether more or less. They are selling now in the market packages of flowers; if you go into the market you will see them sold in single boxes put up by auction. They come over from the continent in little packages of boxes tied together with string according to the size of the boxes, sometimes as many as 12 together. If the bundle is about the capacity of a cubic foot they pay a halfpenny on it. We reckon that as about fair. If you go to the market and see these things sold you will see what is done. There is a common idea amongst some of the buyers in the market that we charge a halfpenny a box upon those flowers. We do not. The wholesale salesmen who sell some hundreds of boxes in a day pay us toll upon them, roundly reckoning about a cubic foot in area for a halfpenny. It is quite possible that any man buying in the market might be under the impression that he was paying a halfpenny toll for every box of flowers that he bought.

2764. (To Mr. Bourne.) You told us that goods are bought in Covent Garden to be sent down to the larger towns in the country; are those only foreign goods or English goods?—English goods as well as foreign.

2764a. Can you give any explanation of such a strange fact and state why they are not bought nearer to the place of consumption?—For instance at the present moment they are sending in goods from Cornwall and Devonshire, and the Scilly Islands that could not be produced in the neighbourhood of Manchester or in the Midlands, such as early brocoli and things of that kind, which are grown only in the south-west of England; and the growers there send up to their salesmen in the market, and then buyers buy in the market and transfer them to other markets.

2765. Are any conditions imposed upon the tenants of shops other than those that are contained in the

regulations and byelaws? If a new tenant is taking a shop do you impose any limitation upon the kind of business that is to be done?—We have limitations in this sense: that, as an illustration, in the centre row for the sake of the good regulation of the place and keeping up the appearance of the place, we try as much as possible to have the florists' shops and the fruiterers' shops alternately. It gives a nicer aspect to the row, and as that is the show place of the market, and people come there for retail business, we endeavour to break up the business in that way, so as not to have all the florists together, and all the fruiterers together, so that if a man came and made a tender, for instance, for this very shop that I spoke of, that has been to let this last week, and said "I am wanting to turn this into a seedsman's shop," or what not, I should say, "No, it would throw out the ordinary regularity. I must decline your offer. I shall not let it to you."

2766. Could such a case as this occur, that when a new tenant was coming in, intending to sell both fruit and flowers, he might be told that he would not be allowed to sell flowers?—It is a thing that I have actually done. What I have said to a man is this: "If you are going to sell both kinds, you must put your flowers in your west window, and your fruit in your east window, in order to keep the ordinary regularity." It is a double-frontage shop with a door in the centre. He may sell both fruit and flowers if he wishes, but if he does sell both (as the man is doing at the present moment in the shop which he now occupies), I say to him, "You will have to put your fruit in one window, and your flowers in the other, but you may sell both if you like."

2767. Do you ever interfere with regard to the people who are employed by the holders of stalls or shops, insisting upon their dismissing a servant for instance?—You are now asking a general question arising from a specific case, the case of Miss Slaymaker. There has been one case of that kind, and only one to my knowledge. In that case the young woman who had taken the shop had a man who had been acting as salesman during the mother's illness. The mother had preceded this Miss Slaymaker, and during the mother's illness, which was rather long, extending over several years, this man had been acting as salesman, and had behaved in a manner that

was not at all right and proper, and interfered very considerably with the well-being of that part of the market. When the mother died, and the new letting was being made to the daughter at the daughter's very urgent request to be allowed to continue the business if she could, I made a stipulation that this man should not be about acting as salesman in front of the shop; she might employ him if she pleased, but if so, she must employ him in such a position as would prevent his being obnoxious to other people.

2768. Did the daughter accept the conditions?—She accepted the conditions.

2769. And that you say is the only case?—That is the only case I know of.

2770. (*Chairman.*) Has it ever been brought to your notice that there has been any plan for setting up a rival market in the west of London?—I have heard of a proposal to set up a market by the Addison Road station and the people were kind enough to come and ask my advice as to the best mode of arranging it, and the architect brought me his drawings and I gave him such assistance as I could in offering suggestions as to the best mode of providing accommodation.

2771. Then we may assume that you did not wish to use any legal rights, assuming that you possessed them, to prevent the establishment of a rival market?—Certainly not.

2772. Do you consider that you have a right to a monopoly within a given area?—If your Lordship will allow me to say so, it is a moot point amongst the lawyers whether a market owner has the right of prevent the setting up of another market within 7 miles. Of course in London we have had a great many instances where markets have been set up.

2773. Whether you possess the right or not you have never attempted to use it?—The question has never come before us in such a way as to lead us to say whether we should or should not. Yesterday, having given the areas in square feet, I was asked by one of the members of the Commission whether I could give it in acres, and I said if I were permitted to work it out in the office, I would do so. I have done that, and the total acreage of the chartered market coloured pink on the plan is 3a. Or. 34p. The total acreage of the whole area that is now being used for market purposes is 5a. Or. 29p.

The witnesses withdrew.

Mr. DANIEL TALLERMAN examined.

2774. (*Chairman.*) You have been occupied, we understand, for a long while with questions relating to the distribution of food?—I have, for 22 years.

2775. What kind of food have you principally had to deal with?—Principally fresh meat and fish.

2776. I think you have arrived at a very definite conclusion as regards the present system of distribution?—Yes, very definite.

2777. And you think it of an unsatisfactory character?—Extremely unsatisfactory.

2778. Will you explain your reason for so thinking; first of all, in regard to meat?—With regard to meat, the system of distribution is disadvantageous owing to the driving of the stock, which causes a large amount of shrinkage of flesh in the transit; there is an excess of expenditure in labour which is unnecessary; there is depreciation in the quality and character of the meat; and a considerable portion of each animal of an edible and nutritive character is used for manufacturing purposes instead of being utilised as a food product.

2779. In regard to fish, what are the objections which you take to the present mode of distribution?—My objections arise principally from the way in which it is packed. It is packed in an irregular and unsatisfactory way; there is no knowing what there is in a package.

2780. We have nothing to do with the question of the transit or the railway traffic here, or with the

use to which animals may be put. We must confine ourselves to the subject of markets. You know the London markets?—Yes, I know them all.

2781. And I suppose you know the principal markets of the country too?—Yes, I have seen some of them.

2782. Are you acquainted with any places in London other than the established markets where articles of food are sold in the streets?—I know most of the places where costermongers and small tradesmen congregate and supply food and other articles, such as Newport Market, Oxford Market, Paddington Market, the New Cut, Leather Lane, Whitecross Street, Whitechapel, and Mile End Road, Somers Town, and several other places.

2783. Those places, for the most part, are not regular and recognised markets, are they?—They are not recognised markets, but they are places where almost from time immemorial the costermongers have congregated, and they are recognised as centres in the neighbourhoods.

2784. As centres of the open air trade?—Yes.

2785. Are they subject to any special regulation or management by the local authority?—No; they are principally governed by the police in the ordinary way.

2786. You consider them valuable to the public?—Yes, I think they are very valuable indeed. I think their number might be well enlarged, and several

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other places advantageously utilised in the same direction for the benefit of the inhabitants of other districts.

2787. Then, instead of seeking to concentrate trade in a few great markets you would rather disperse it?—I would disperse it in every direction. The concentration of trade tends to create different monopolies and the bulk of the people wish that their requirements should be obtainable in their immediate vicinity.

2788. Are you acquainted with the Central Meat Market of the city of London?—Yes, I know it very well indeed.

2789. What have you to tell us about that market?—That it is a great mistake. It is not a market at all. A market is a place where producers and consumers can meet and exchange their produce; but into this market the producers cannot enter at all, and the consumers can only go there on Saturday afternoons to buy what they want.

2790. How do you mean that the producer cannot go into market with his meat?—If a farmer in Essex, or Suffolk, or Surrey, or Yorkshire, has half a dozen sheep, or two quarters of beef, or a larger quantity, or if he brings up his live stock and gets it slaughtered at the Islington Market, he cannot take the meat into the Central Meat Market and sell it himself; he is bound to give it to one of the salesmen to be sold for him, and is obliged to take just what they chose to give him. There is no check.

2791. What is it that prevents him from going into the market; is there a regulation against it?—There is no space for him to hang his meat; there is no accommodation for him.

2792. When you say that consumers can only go for what they require on a Saturday afternoon, why is that?—Retail trade is only done on Saturday afternoons when they require to clear up their stocks, and they let the public go in then to buy the meat.

2793. In short, it is a wholesale market, and not a retail market?—It is.

2794. Who are the occupants of the market?—The principal proportion of them are salesmen. There are altogether, according to the London Directory, 149 salesmen, four carcase butchers, and one meat contractor, that is 154 tenants altogether.

2795. Do they transact their business on commission, or how?—About one-third of them are, I consider, *bond fide* commission salesmen; the balance are what they call *bommarees*, who buy the meat from the salesmen and cut it up and supply the retail butchers and large hotel keepers with what they want.

2796. Then there are two persons interposed between the producer and the consumer; first of all the salesman and then the jobber or dealer?—Yes, and sometimes the carcase butcher.

2797. What do the salesmen pay the Corporation?—The salesmen pay the Corporation a toll and a rent. I do not know whether you have the figures as to the revenue.

2798. What is the toll?—The toll is a farthing on every 21 lbs. of meat, and it reaches the total of 27,000*l.* per annum.

2799. But in addition there is a rental for the shops?—There is a rental for the shops in addition, and those two together, taking the two markets, come to about 54,000*l.* I work it out as near as possible at a halfpenny for every 21 lbs. of meat that goes into the market. That makes it altogether three farthings on every 21 lbs. It works out as nearly as possible to 6*s.* 9*d.* a ton on the quantity of goods that go into the market during the year, that is 4*s.* 6*d.* the salesmen's rental, and 2*s.* 3*d.* the toll.

2800. What is the nature of the tenure of the shops?—It is a weekly tenancy, subject to termination on misbehaviour.

2801. Have they any power of transferring their shops?—No, and they are not allowed to do so, but it is done.

2802. Can you say from certain knowledge that it is done?—Yes.

2803. Can you mention any case where such transfers have taken place?—Yes, there was one transfer that has been publicly reported. A firm largely engaged in the importation of American meat acquired one shop, and they paid 4,000*l.* for it, and also gave the party who was in occupation 300*l.* a year for life for him to act nominally as their manager. That was the firm of John Bell and Sons. There is another instance currently reported of Nelson Brothers, engaged in the New Zealand meat trade. They have taken another place, and gave a very large sum for it; I do not know the exact figures, but they are reported to have taken it on much the same terms as the other people.

2804. That can only be done, I presume, by evading the Corporation byelaws?—Only by evading the Corporation byelaws. The point exhibits the value of the rights of the tenants in the market. It shows that even a weekly tenancy in that market is worth a considerable amount of money.

2805. Have you heard of cases where the incoming tenant has gone into partnership with the outgoing tenant?—I have been informed that is one way of getting possession of a shop; a man will enter into partnership with the occupier, thus he becomes part proprietor; shortly afterwards there is a dissolution of the partnership, then he becomes sole proprietor.

2806. What is it that gives such an exceptional value to these holdings?—The large amount that is payable to the salesman in the shape of commission.

2807. What is the amount of commission that is charged?—From 2½ per cent. upwards.

2808. Do you know what it amounts to?—Yes; putting the total quantity of meat last year at 250,831 tons, and taking that at 6*d.* per lb., or 4*s.* per stone, for beef, mutton, and pork, that comes to 14,046,536*l.* Taking 2½ per cent. as the minimum commission upon that sum, it comes to 351,163*l.* Of course, it is a vague way of getting at an average of the income.

2809. Would that be divided amongst the 154 tenants of the market?—Yes; it would be divided in accordance with the amount of meat that each received. If the 250,000 tons was equally divided between the 154 different salesmen, they would get about 2,280*l.* each; but I believe that only about one-third of them are *bond fide* salesmen, and the commission would be divided between that one-third.

2810. How are the markets managed?—By a committee of the Common Council.

2811. A general committee?—A general committee, divided into sub-committees. There is the General Markets' Committee, and there are sub-committees for each market.

2812. Have they the right of letting the shops in each market?—Yes; all the details connected with the market are dealt with by a sub-committee for itself. The Meat Market includes the Poultry Market, the Islington and Deptford Cattle Markets have another committee, and Billingsgate has another committee.

2813. Then, as I understand you, you put it in this way, that producers have no accommodation for selling their own goods, but must hand them over to a salesman and take his terms?—Yes, quite so, and they can get no information; they do not know who the goods are sold to, and the purchaser, who purchases the meat, does not know whose goods he is buying, he gets no invoices, and they give no receipts, but simply give a small bit of paper with a figure of the total number of stones multiplied by the price at which the sale is made.

2814. The business of the salesman, as you put it, is conducted on a secret system?—Yes.

2815. Then you complain also, I think, that the market is not a retail market, except on Saturdays?—Except on Saturdays; and then it is all the worst of the meat that has accumulated during the week, either in the market or in other directions that is sold then.

2816. Are the hours during which the market is open sufficiently long?—The market is closed at

12 o'clock in the day; I think it should be open all day long.

2817. Are there any means by which the prices, according to quality, may be made known to buyers and sellers?—No, there are no means at all. This morning's newspapers quote beef at 2s. to 4s. 2d. per stone. It is impossible for any farmer to define what is the exact value of the particular meat that he has sent up.

2818. In a statement which you have given us, you have spoken of the well-known existence of a tacit understanding to act on all occasions in the interests of those who are in the market, to the detriment of outsiders; will you explain that?—I can hardly give any explanation beyond the statement itself. There is a general understanding that the tenants work together.

2819. Do you mean that all these 154 salesmen could combine against the outside public?—The salesmen are divided into cliques of their own. There are different trades. There is what they call the Scotch trade, the American trade, the New Zealand trade, and the English trade. All the trades are centred in a few hands, and those parties can very well come to an understanding with each other. There is a kind of unwritten law that governs the transactions.

2820. Are you aware of any complaints as to the difficulty of getting shops?—Yes; no one can get a shop without the greatest amount of influence and interest with the members of the sub-committees.

2821. Are the shops put up to open competition?—No, it is done privately.

2822. Have those causes of complaint, of which you have been speaking, been publicly discussed?—They are discussed generally amongst parties who are connected in business, either directly or indirectly, with the market. They have formed a topic of public discussion, because there was a case that was tried in court, I think, about two years ago, in connexion with one of the assistants of one of the salesmen and his principal, and there were a good many things referred to in that case.

2823. Have you been connected with a company that had some difficulties in connexion with this market?—Yes; I was connected with a company in 1880 and 1881 that occupied very large premises in the city of London, almost the largest place there, paying 2,000*l.* a year rent and 500*l.* a year for rates. One of the objects of the company was to receive live cattle from farmers, and to slaughter them for sale to the consumers. It was a large organisation which was being formed. It required a slaughter-house at Islington, and the Corporation had two empty that had been empty for years. The rental of those slaughter-houses was 80*l.* a year, but the Corporation would not let the company have the slaughter-houses, they declined it. I have the letter here from the Corporation refusing (*producing letters*).

2824. Did they assign any reason?—No.

2825. Do you consider that the market as at present conducted acts in restriction of trade?—I think there is no freedom of trade. The producer can do nothing in his own interest in the market at all. In fact, I do not know any market in any country in the world that is governed in a similar way.

2826. When an English farmer takes his live stock to market he does not, I presume, kill it for himself?—No, he sells his own beasts and in his own way.

2827. I am not quite sure what you mean by a statement which you make as to the inability of the farmers to have the sale of their own meat in their own hands?—They cannot take their meat into the market and sell it themselves.

2828. Because they must act through a salesman?—Exactly so.

2829. But if that were not the case what difference would it make; would they get better prices?—A farmer would know what price he got, and he would get the full price that the meat made.

2830. Do you consider the present market accommodation sufficient for London?—No. The meat market has a poultry and provision market attached to it; but owing to the meat market being too small a part of the poultry market is held by meat salesmen. The number of tenants in the poultry market is 56, out of which there are 28 meat salesmen, 12 poultry salesmen, 13 provision salesmen, and three butter salesmen. The poultry and provision market is largely occupied in the sale of American and foreign butterine and margarine. There should be some space for home-grown poultry and home-grown fruit.

2831. What would you recommend should be done with this meat market in the public interest?—I think that the first thing that should be done is to put a stop to the system of double and treble sales there. I think that meat should be sold once, and that there should be no trafficking in meat in the market itself; that is to say, if a salesman had got any meat in the place he should sell it himself to the retail trade.

2832. Would you forbid him to sell it to any other salesman?—In the same market, yes.

2833. Is there a regulation of that kind in force anywhere, to your knowledge?—No, because the systems do not apply. There is no market that I know of that is completely isolated as this market is.

2834. We understand that you think that there ought to be no dealings among the salesmen, but that they should deal with the producer on the one hand, and with the consumer on the other?—They should sell direct to retail butchers. If a man gets 20 sides of beef down, he should not sell them to another man in the market, and that other man make a profit and then sell them to a retail butcher, because there are one, two, or three intermediaries between the wholesale salesman and the retail butcher.

2835. Is there any trade in the world where one tradesman is forbidden to deal with another if he finds it to his advantage?—No, not that I know of; but there is no place in the world where the whole of the food supply of a population of four millions is concentrated and virtually placed in the hands of 30 or 40 men. If the market was an open market, and everybody had facilities and was in a position to go into the market, and deal with the meat in a fair and open-handed way, then the position that I take up would not apply.

2836. How does a man become one of this class of salesmen who, according to you, possess a monopoly, is it not an open business?—It is an open business, certainly.

2837. Anybody can go into it?—Anybody can become a meat salesman; but there are only a few people who can get a position in which they can carry on the business.

2838. The monopoly arises from the difficulty of getting sufficient accommodation in the market?—Yes; and my view of the thing is this: that if the meat was simply sold once in the place there would be a large amount of accommodation available for the producers and farmers throughout the country in the market. But if a quantity of meat is taken into the market to one stand, and then is simply transferred to another stand, there are two places occupied by the same quantity of meat. If it is again transferred to another stand the same meat appears in different ways and occupies different positions.

2839. I believe you have a proposal for allowing farmers who wish to sell their meat in the market to hang it upon any vacant hooks?—Yes. I think that if any place is vacant in the market that place should be allowed to be occupied by anybody who has any meat to sell upon payment of a toll.

2840. But there would not be vacant places for all, who is to decide who is to have them?—They would possibly be appropriated in rotation in some ordinary form.

2841. Then you propose that a list of all the meat known to be on rail for the market should be published?—Yes. I think you cannot have too much

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publicity in the market in the interest of producers who send their stuff to a market for sale. They are entitled to have the fullest information that they can possibly get in connexion with the prices realised.

2842. Would you have all meat classed and valued?—Yes, I would have all the meat graded as they call it in America, because then the public know what the exact value of their meat is.

2843. You have suggested also that all details in connexion with sales and purchases should be fully noted?—Yes, I think that the sender of meat is entitled to the fullest information as to how that meat has been dealt with. If he pays a commission he is entitled to know who has been the buyer of that meat and what has been the price of it.

2844. Is any obligation of that kind imposed in any market that you know of?—I think in Paris the sales are all conducted in a public way by Government officials. I am not exactly sure upon the point, but I think they are Government officials from what I have seen there, and I propose to find out definitely.

2845. Would you keep the market open for a longer time than at present?—Yes, I would keep the market always open.

2846. Not all night, I suppose?—No, up to a reasonable hour for closing. Now they close at 12 o'clock in the day; people want to buy their meat up to 8 o'clock at night.

2847. Do you think that more provision should be made for the conduct of the retail trade?—Yes, I think that every facility should be given for the conduct of the retail trade, because meat will make more in a retail way if it is sold direct; and producers or senders of meat must benefit by that.

2848. Do you think that there should be any change in the system on which the shops in this market are disposed of?—I think they ought to be let publicly, and on one basis, that they should always pay one toll or a rental which should include the toll and the rent that is now paid. It appears to me that two thirds of the present rent is paid by the tenant, and one third by the sender of the meat in the shape of a toll on the weighing of it.

2849. Would you call upon every tenant in the market to make a statement of the transactions in which he has been engaged?—Yes; every one of those transactions I think should be public property.

2850. You have some fault to find I believe with the present system of paying the toll; will you tell us what it is?—All goods are weighed gross, and there is a toll charged upon them that is charged back again to the sender of the meat. I think the toll and the rental should be one fixed charge on the gross that went in, and payable by the tenant of the place out of the commission.

2851. Do you think that the charges that the salesman makes should be left to himself, or that they should be placed under regulation?—I think that should be left to himself; that is an open question. If the market is an open market (it all comes back to that one point), then everybody should be free to deal as they can with each other; but if the market is a closed market and restricted to a few hands, then I think the charges that the salesman should be allowed to make ought to be under the control of the authorities.

2852. In short, if I gather your meaning rightly, you think that a market of this kind must be inevitably and to a considerable extent a monopoly?—It is a monopoly.

2853. And therefore that it ought to be placed under stricter regulations than would be necessary in the case of dealers in an open market?—Quite so.

2854. (*Lord Balfour*). You propose several restrictions here, fourteen in number; how many of them are drawn from those that you know to be in force in markets at the present time?—As regards the first point that producers have no accommodation for their goods, I think that in every market the producers should have facilities for sending in their goods and dealing with them.

2855. But I am referring to the fourteen recommendations which you make on pages 5 and 6 of the paper which you have handed in?—The question of double and treble dealing does not apply in the case of an open market; but I know of no other place where the market is as exclusive as this is, and that is my reason for putting that one in. Number 2 gives farmers an opportunity of selling their meat.

2856. But how many of those fourteen recommendations are drawn from experience of existing working in markets where those regulations are already in existence, and how many of them are recommendations from theory?—The bulk of those recommendations are gathered from what I know, or from what I have learnt of the practices of other markets.

2857. Do you know any market where any of them are in force at the present time?—I think they are all in force in one shape or another in other markets.

2858. Can you say where? Where is No. 1 in force, for example?—No 1 is not in force, because in every other market the farmers can go in.

2859. Where is No. 2 in force?—No. 2 is in force in every market that I know of, that the farmers have a right to take their meat in and sell it.

2860. Upon paying a charge I suppose?—Upon paying the ordinary toll. They can sell their own meat in their own way or have it sold by public officials.

2861. By agents of their own?—By a government official. In the great market in Paris, for instance, the meat is all sold by auction by a government salesman.

2862. Is that what you want to see here?—Something much of the same kind.

2863. Is that system in existence in this country anywhere at the present time?—No, because they can take their meat into the market everywhere and sell it.

2864. Do you know the market at Oxford, for example?—I do not know the market at Oxford, but at Manchester and at Liverpool they can sell their meat. In this very market in London, until this Central Meat Market was built, there were facilities for people selling their own meat.

2865. What sort of facilities?—They could go and either take a shop, or they could take their vans up and sell their meat from their vans or carts. There was an open market. In Leadenhall Market, until the present market was built, there were always facilities for anybody to take his meat into the space of that market and sell it upon paying a toll.

2866. Up to what date are you speaking of?—This Central Meat Market, I think, was opened in about the year 1870, and prior to that, farmers could do pretty well what they liked with their meat. If they were so disposed they could sell it themselves. In Leadenhall market, until the present market was built, about three or four years ago, there was a kind of open market where farmers could take their poultry and sell it.

2867. A kind of open market?—Yes, in the old market.

2868. What led to the change being made?—They rebuilt the market, and built a number of shops, and they let the shops to different salesmen.

2869. Then there has been a change of system?—There has been a change of system, and that change of system has been brought about by these new markets.

2870. Do you know whether No. 3 is in force anywhere?—No. 3 is in force in New York. I have noticed there in the trade reports that they give the names of the sellers and the buyers of the meat. I have here a little pamphlet which was written some years ago, and this is a quotation from an American newspaper; it has reference to No. 5: "Coney McPherson (who is a salesman) sold for A. Griswold 30 Illinois steers, five at 9½ cents; 10 at 10 ditto; 15 at 10½ ditto; with five dollars off 5 head." That gives the public a complete knowledge of that particular transaction.

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2871. With regard to No. 4, is there any instance of classification of meat by a neutral authority?—I do not think there is a classification by a neutral authority; but in all the American stock reports the price of the different graded meat is known.

2872. Who grades the meat?—I do not know who grades it.

2873. Is not that of the very essence of the proposal?—That is the essence of the proposal.

2874. Is there any real way of testing the value of an article but by putting it up to open auction?—No, that is about as fair a way as you can get; but I do not think I gathered your question, and I do not think you gathered my reply. In the Chicago stock markets a newspaper will say, "First grade so much, second grade so much, third grade so much, and fourth grade so much, fifth grade so much, and Cannors so much."

2875. That all depends, does it not, upon whether the meat is put fairly into the different grades?—The grades that I am referring to now are of live stock. These quotations of the American prices refer to live animals, not to meat.

2876. But still even live animals will vary very much as between one and another, will they not, although they look pretty nearly the same to the eye?—Yes.

2877. Therefore, is it not practically an impossible thing to grade meat in the way you suggest?—It is not impossible to grade meat, but a sender of meat must depend to a very great extent upon the return that he gets for his particular stock.

2878. I will not take you through all your recommendations. Can you give me specimens of any of the other regulations which are in force in existing markets?—What I want to find out is how far you are making a recommendation of provisions which have been successful in other places, or how far you are making a recommendation of provisions which you think would be successful?—I take it that if all meat was slaughtered in central slaughter houses, and if there was a large supply of it, and if it could be properly classed by independent authorities it would be a beneficial thing to the community in every way.

2879. You see there are three "ifs" in that?—So there must be in connexion with the meat trade of this country a good many more than three.

2880. With regard to this refusal of the Corporation to let you have these slaughter houses at Islington, I do not find that refusal in the correspondence which you have handed in?—The letter, I find, is not among these. I will see that you have the letter. It is an old bundle of letters, and I had occasion to remove it two or three weeks ago from that bundle.

2881. Do you know what the reason of the refusal was?—Simply that they had an objection to meat being sold on farmers' account.

2882. Is that stated in the correspondence?—No, they give no reasons, but I know pretty well what their reasons were. My experience of the Corporation is that they have interfered with me in every shape and way possible, and with other parties.

2883. Is the company which you have mentioned in your evidence still in existence?—No, it did not go on; it could not go on. It was started for the special purpose of bringing the farmers and the consumers together. The company is referred to in that little pamphlet.

2884. Was it a going concern at the time this correspondence took place?—It got into existence.

2885. It was carrying on business?—Yes, in a small way. It started for the especial purpose of handling home-grown stock.

2886. You say that the company occupied large premises in the City, for which it paid 2,000*l.* per annum in rent, and 500*l.* a year for rates; how long did it make those payments?—For over a year.

2887. Had it at the time when you were refused this additional accommodation a real good going *bond fide* business, and would it have been in every respect a substantial tenant?—Yes. This letter is dated the

4th of September 1880. The company was in existence for nearly 12 months.

2888. There must always be go-betweens between the producer and the consumer, and your recommendations tend to lessening the number rather than to abolishing them altogether?—Quite so.

2889. Do you think that that can be attained by artificial means such as you suggest, viz., forbidding re-sale?—It could be attained principally by the concentration of slaughter-houses in the country, so that the meat could be dealt with there and sent to its destination direct from the slaughter-house, in preference to the animals being brought up to London and slaughtered and passing into a good many hands here.

2890. Is not this large Central Market an attempt at concentration, which I understood you to condemn?—No, it is concentration the other way. The concentration that I would recommend would be the concentration of slaughtering by the farmers themselves in their own counties, very much in the same way as is done in Chicago.

2891. You would have that done by voluntary association among the people in the district, and then you would have the meat sent up from there to London?—Yes, or they might send the particular meat that was required for a particular place. The different portions of the carcase are required in different directions.

2892. But is not the only difference between what you propose and the existing system, the fact that there is one concentration in London rather than a number of smaller ones about the country?—No. I have not made myself clear.

2893. I do not quite understand why concentration (using your own expression) in the country will be less harmful and less restrictive of trade than the concentration of trade in London. If the one gets into a few hands, will not the other through lapse of time be liable to the same abuse?—No, for this reason, that if you concentrate your animals in the country and slaughter them there, you can utilise a large number of the products where you can get them in aggregate quantities; whereas if you send them up to London and they pass through different hands you cannot do so.

2894. Surely that argument rather goes to prove that if it was for the individual advantage of the people to do it they would make combinations for the purpose amongst themselves?—There have been such combinations in recent years in America. It is the natural outcome of it. The dressed beef business is virtually the concentration of slaughter-houses. That has been established in America only within the last few years. It has superseded the live cattle trade in every way, and continues to supersede it, and is growing in every shape. It depends upon a larger result that you can get from slaughtering a number of beasts in one direction.

2895. (*Sir James Corry.*) Do I correctly understand from you that what you propose is that in place of London being the concentration of the meat markets, there should be meat markets established all over the provinces?—Not meat markets, but simply slaughter-houses; that each county should have its own slaughter-house, and that the farmers of that county should concentrate their slaughtering in that district; and that then, when they have got their meat, they should deal with it in the best direction that offered, and deal with the offal and refuse in another way.

2896. Is that done in Scotland at all?—Yes. I think the Aberdeen beef trade is an example of the exact point that I wish to refer to, because that has been continually growing since its establishment.

2897. As I understand it, that meat is sent up to the Central Meat Market in London to the salesmen here?—Yes, but it is slaughtered there, and there is a large quantity slaughtered, and they utilise all the rough products of the beasts in Aberdeen to the best advantage; and at the same time the bulk of the

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Aberdeen meat that comes up to London is simply of one grade.

2898. It is generally the best quality, and realises the highest price?—Yes.

2899. That is the kind of trade which you would like to see extended?—Yes.

2900. But there the producer and the consumer do not come into contact at all any more than from any other part of the country?—No; but from the character of their trade they virtually command the salesmen. There are not the different grades of meat in the Aberdeen trade that there are in the other meat supply that comes into the market. You never see Aberdeen meat quoted at 2s. to 4s. 2d. a stone, as you see the other meat quoted. You see Aberdeen meat quoted at 3s. 10d. to 4s. or 4s. to 4s. 2d. There is a nominal variation in the price, and the senders of that meat know exactly what the meat is worth and what it makes in the market.

2901. But in the meat trade, as in almost every other trade where commission salesmen are employed, the confidence between the sender and the salesman must be reciprocal?—They must have confidence, and they do have confidence, and the senders are bound to have confidence because they cannot help themselves.

2902. Why cannot they help themselves?—Because they are bound to place their meat in the hands of a salesman. Every salesman wants to get Scotch meat; every salesman knows that unless he makes the top price for the man who sends the meat he will not get any more.

2903. With reference to the transfer of these shops or places in the Central Meat Market, you say that large sums have sometimes been paid; you name Messrs. Bell and Sons; I suppose those are the Glasgow people?—They receive the American meat; they are Glasgow people.

2904. And they control to a very large extent the American trade do they not?—They receive a large amount of meat from America.

2905. But is not that trade all a dead meat trade from Deptford?—No, their dead meat trade comes in the shape of refrigerated meat from America.

2906. As regards the Canadian part of their trade, the cattle come direct into the market, do they not?—Direct into Islington.

2907. But in the United States trade, as I understand it, the cattle are all brought to Deptford and slaughtered there?—That is the live trade.

2908. Do they bring refrigerated meat from the United States?—Yes, Messrs. Bell do about the largest trade in American meat. They control the refrigerators on the steamers. You find that they get meat from Chicago. Meat will be slaughtered in Chicago and carried through.

2909. And you think that the Corporation rather favour large people like Messrs. Bell and Sons, and do not ask questions if they find that they are coming to occupy these places in the Central Meat Market?—No; I do not know that the Corporation have anything to do with it; but the thing was done, and it got to be a matter of public notoriety.

2910. (*Mr. Picton.*) I collect that your idea is that a market should be entirely open to anyone who has goods to sell, and to the public to buy?—Yes, exactly.

2911. Have you considered the difficulties involved in securing that?—I do not know that there are any difficulties.

2912. You cannot have a market of unlimited capacity, can you?—No, not very well.

2913. Here is a market of a limited capacity. Say that there are 500 buyers and 500 sellers who could find accommodation there; if you had 550 applying what would you do?—But you could not have meat enough.

2914. I will take what number you like, but that is simply the name of the thing. Supposing that you had 50 more people wanting to sell than you can find accommodation for, what would you do?—Of course you could not give more than the accommodation

would accommodate, but the market of London requires so much meat for its supply. It is not a question of the number of salesmen that that meat shall go to, but the number of hooks upon which these quarters of beef shall hang.

2915. Still the amount of beef required to supply a certain number of the public will go to a limited number of dealers?—It must be so.

2916. Please understand that I am not in the least wishing to throw any difficulties in your way; I am only wanting to get information as to how you would carry it out?—I feel myself in this difficulty: that it is a crucial question, and I feel that I do not make myself understood. But if a market takes 1,000 tons of meat every day, 1,000 tons of meat will represent 3,000 bullocks; 3,000 bullocks will represent 12,000 quarters, and 12,000 quarters will require 12,000 hooks. If a market has got that number of hooks it should be immaterial in whose hands the selling is, if that supply of meat can be accommodated.

2917. Then would you divide the market into so many stands or into so many hooks?—The stands consist of a number of hooks.

2918. In one of your answers you told us that you would allow a seller to hang his meat upon any vacant hook, even if it were in a stand that was generally occupied by a dealer?—If that dealer has sold his stock and that man has got a regular trade. Supposing that he has cleared out his consignments for the morning and sold them and his shop is empty, then I say that if another man has so much meat to sell, he has a right to the accommodation for the sale of that meat.

2919. Do you know any markets where that is done either at home or abroad?—I come back to the same question that I dealt with before; I do not know any other market that is an exclusive market.

2920. When you were asked as to preventing double or treble dealing in the market, and whether you know of any market in which that was carried out, you replied, "There is no exclusive market"; will you explain what you meant by that?—I know of no place where a farmer would be shut out from taking his meat into the market and selling it himself.

2921. You mean that there is no market in which he could not find room?—Yes; or be able to sell from his cart.

2922. Is that the case in the United States?—I do not know about the United States.

2923. Is it the case of any of the markets in England? You spoke of the Liverpool market, St. John's Market; is it the case there that any man having meat to sell could go and look for a vacant hook and hang it up?—It is some years since I was in Liverpool; I never had any meat there; I merely looked at the market as a visitor; but I have been in the Swansea market, and I had some meat there. I took a refrigerator with a couple of hundred New Zealand or Australian sheep. I had no difficulty in going to that market and getting a stand, paying so much toll, and I had accommodation for what I had to sell; and any farmer should be in just the same position.

2924. You give Swansea as an instance of that being carried out?—Yes.

2925. (*Lord Balfour.*) I did not go into the Islington case quite so far as I intended. You make a statement in the paper which you have put before us, that the letters were intercepted and the consignments diverted; did you complain to the Post Office about the letters being intercepted?—We complained to Mr. Stephens.

2926. Who is Mr. Stephens?—The clerk of the market. This is the correspondence in reference to that (*handing in some letters*). You will find there a copy of the letter from our agent, and a copy of the letter that Mr. Stephens sent.

2927. There is nothing about letters here, so far as I can see?—This is a copy of a letter that Mr. Stephens sent to the Scotch sender at Inverness, and

he says here "letter from you addressed to the Local Meat Markets Company, Limited, having been delivered here yesterday through the post, and having no knowledge of such a Company"; that refers to the letter.

2928. Is it this on which you found the broad statement that letters were intercepted, and consignments diverted?—That refers to a special letter and a special consignment that came to our knowledge.

2929. But the statement, as I understood it to be made in this paper, is in the plural, "our letters were intercepted, and the consignments diverted, as if a regular practice had been made of it?—This is what occurred to my company.

2930. There was no other case?—No, this stopped the business.

2931. Do you mean that the diverting of this one consignment stopped the business of a company which was paying 2,000*l.* a year in rent and 500*l.* a year in rates?—Yes, because we could not get the accommodation in the market for the sale of home grown meat. We had arranged with one of the salesmen in the market to allow us the use of a portion of his store, dividing the commission with him; and he was prohibited from furnishing us with the opportunity of selling our meat there.

2932. Where was it that you were doing a business for the premises for which you paid 2,000*l.* a year in rent? You say you occupied premises of that extent

in the city?—Yes, we fitted up those large premises in Upper Thames Street with a cool storage place in 1877.

2933. And the business was stopped by this one miscarriage?—This was a new business which we were about to initiate. The American Meat business was stopped by the butchers altogether as a body. Then we were going to extend the operations, and the new company was coming into existence to carry out the trade in home meat, and we required to have a place in the Central Meat Market where we could sell. That had nothing to do with the premises in Upper Thames Street.

2934. But you never carried the matter any further?—No, because we could not get the accommodation to sell the meat. We were not allowed to make an arrangement with the holder of a shop or stall in the market to give us facilities for our business.

2935. Who declined to give you permission to make that arrangement?—Mr. Stephens; and Mr. Israel was the salesman with whom we made the arrangement.

2936. Have you the letter declining to give you that permission?—No, there were a number of meetings between Mr. Israel and the Committee, and Mr. Israel was told that if he gave us the accommodation he would be dismissed from the shop.

The witness withdrew.

Adjourned to Thursday next at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

TWELFTH DAY.

Thursday, 8th March 1888.

PRESENT:

THE RIGHT HON. THE LORD BALFOUR OF BURLEIGH IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P. |
SIR THOMAS MARTINEAU.
MR. CHARLES I. ELTON, Q.C., M.P.
MR. SPENCER CHARRINGTON, M.P.

MR. JOHN J. HARWOOD.
MR. WILLIAM C. LITTLE.
MR. T. BARCLAY COCKERTON, *Secretary*.

MR. WILLIAM BIRT examined.

2937. (*Chairman*.) You are general manager of the Great Eastern Railway, and we understand that you are prepared to give evidence on the subject of our inquiry on behalf of that Company?—I am. I have been in the service of the Great Eastern Railway Company as goods manager, and general manager, for very many years, and I am fully acquainted with the system of railways belonging to that Company.

2938. The districts through which your railways pass, as we know, are, with the exception of a few suburban districts, almost wholly agricultural?—That is so. The length of our railways is 1,057 miles, including lines owned jointly with the Great Northern Company, and leased and worked lines.

2939. And some of your clients complained of the absence of adequate markets?—It has been a complaint for very many years amongst many of the most influential men in the Great Eastern district that there is not sufficient market accommodation provided in London; and they have urged that whatever

facilities the Great Eastern Company may offer them to grow vegetables, roots, and produce of that kind in substitution of cereals will always be of very little use unless far more ready means of disposing of their produce is offered in London and other towns in the way of market accommodation.

2940. Acting upon these suggestions the directors of your Company desired to supply additional market accommodation for the community in London?—They did; and finding that no one else would supply market accommodation, they provided a market of their own at Stratford adjoining an existing railway station. That market was opened in the year 1879. I produce a map showing the position of Stratford Market (*producing a map and describing it to the Commission*). It is an old map, the date of it is 1869; there has not been a fresh one published since. But Stratford has grown so enormously within the last few years that a map of this old date scarcely conveys a proper idea of the importance of the place.

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The population of West Ham, in which parish Stratford is situated, was 100,000 in the year 1871, and it was 200,000 in 1881.

2941. You hoped that the provision of a better market would hold out inducements to farmers to grow more market-garden and similar produce, instead of depending upon the usual agricultural crops?—We did. It has been urged upon me more than once that the farmers in our district, at all events, are so severely handicapped by the enormous importations of corn from America and other places, that it is a necessity, if they are to continue farming operations, that they should find some other produce to grow.

2942. Has that been successful?—It has been successful to a considerable extent.

2943. Subsequently to the opening of the Stratford Market you have also adapted the under-structure of Bishopsgate Station as a depôt for the sale of vegetables, market-garden produce, and fish, have you not?—We have. By an Act of Parliament passed in the year 1876, we obtained power to convert the old passenger station at Bishopsgate into a goods station, and in constructing the goods station, which is on the high level in arches, we so arranged the under-structure as to be available for a market.

2944. I see in the statement with which you have furnished the Commission, that you make reference to some rights of Sir Julian Goldsmid; do you wish to say anything in regard to that question and to the decision of the court upon it?—Yes; the market or depôt at Bishopsgate was opened for the sale of vegetables, roots, and fish on the 1st of July 1882; but we had very extensively advertised for many months beforehand that the market would be established and opened on that date. Six months before the day of opening, that is to say, in January 1882, Sir Julian Goldsmid and others, the owners of Spitalfields Market, and Mr. Horner, the lessee of the market, commenced an action against the Company to restrain them from opening the Bishopsgate depôt as intimated in the advertisements and placards that we had issued, on the ground that what we intended doing would be a disturbance of Spitalfields Market, which was a market for vegetables, fruit, and market-garden produce.

2945. Was that market under an ancient charter?—It was. Notwithstanding that that action was commenced we did open the depôt on the 1st of July 1882, and it was kept open until the 16th of January 1884, when the Court of Appeal refused to allow the Company to continue the sale of vegetables and roots. Sir Julian Goldsmid and his co-plaintiffs claimed under two charters. One bore date the 29th of July, 34 Charles II., and the other was dated the 22nd of September, 4 James II.; and they contended that what we were doing at Bishopsgate Market was an infringement of the rights granted by these charters. But I daresay you have heard a great deal about these charters, because I believe Mr. Horner, the lessee of Spitalfields Market, and Mr. Briggs, his solicitor, have given evidence regarding them.

2946. Was the effect of this litigation finally to close your market at Bishopsgate?—It was. The market was closed because the Court of Appeal refused to allow it to be kept open. I should say that we took the case to the House of Lords after the Court of Appeal had decided against us, but the House of Lords upheld the judgment of the Court of Appeal.

Mr. Childers here took the chair.

2947. (Mr. Childers.) That was Lord Selbourne's judgment in the House of Lords, was it not?—I rather think it was, but I will not be sure.

2948. After you had failed at law you then went to Parliament?—It was before a decision was given that we first went to Parliament.

2949. But before the decision of the House of Lords was given, and after the previous decision of the court below was given, you went to Parliament;

what was it that you asked Parliament to enable you to do?—When we went to Parliament we asked leave to let and grant the use and occupation of the Bishopsgate depôt for the purpose of the sale of vegetables, potatoes, fruits, and roots, as well as for the sale of meat, poultry, and game.

2950. You put in the Bill, I think?—I put in the Bill (*producing it*).

2951. It is in the Omnibus Bill of the Great Eastern Company of 1883?—Yes. Clause 31 is the clause to which I refer.

2952. How did the Committee of the House of Commons deal with that clause of the Bill?—The Bill was before a Committee of the House of Commons presided over by Sir John Ramsden, and the Committee, upon a preliminary objection being taken by the opponents of the Bill, Sir Julian Goldsmid and others said that the question being *sub judice* the matter must be expunged from the Bill.

2953. And so you failed to get power to sell vegetables, roots, and fruit?—We did.

2954. But you succeeded in getting power to sell meat, poultry, fish, and game?—Yes. That power was objected to first of all by the Corporation of London.

2955. Did you come to terms with them?—We did; and by agreement that clause was inserted.

2956. Can you show us now the clause of the Act, as it passed, which gave you that power?—This is section 34 of the Act (*producing the Act*).

2957. That saved the rights of the City?—I think that merely means this: that we have the power to sell, notwithstanding any rights that the Corporation have. We have not to pay them compensation.

2958. But all their rights are saved absolutely?—Yes. There was no compensation payable.

2959. Then you got into litigation with Mr. Horner, did you not?—As regards Stratford Market.

2960. Will you explain to us exactly what the point was?—Up to the time of the decision of the House of Lords upon the Bishopsgate Market question there had been no question between us and the Spitalfields authorities regarding Stratford, but at that time Mr. Horner, the lessee of the market, did commence to threaten us with proceedings for a disturbance of his rights as regards Stratford.

2961. As being within the distance over which his rights extended?—Precisely so. Stratford is three and a half miles from London, and I believe Mr. Horner's rights, under his charter, extend for a distance of six and three-quarter miles or seven leagues.

2962. Popularly called seven miles?—Yes.

2963. What was the result of your difficulty with Mr. Horner?—We did not take that case into the Law Courts because we were advised by Mr. Hemming, Q.C., Mr. Charles, Q.C. (now Mr. Justice Charles), and Mr. Smart, who were our counsel in the case of Goldsmid v. The Great Eastern Company, as concerned Bishopsgate, that we should do wisely in coming to a compromise with Mr. Horner, and we did do so.

2964. That compromise was set out in the Great Eastern Act of 1887, was it not?—It was.

2965. Will you give us the substance of it?—I will produce a copy of the agreement. The agreement, stated shortly, provides that the Company may re-open the Bishopsgate depôt and continue the Stratford Market, paying to Mr. Horner or others, the persons entitled for the time being to the receipt of the tolls of the Spitalfields Market, certain sums of money, the following sums:—Bishopsgate Market: potatoes, 3d. per ton; green peas, 1s. per ton; green vegetables, 1s. 6d. per truck load; fruit, 1s. per ton; carrots for domestic purposes, 3d. per ton; onions, parsnips, and other roots for domestic purposes, 6d. per ton. Stratford Market: On vegetables, fruit, and roots brought into the market by rail, 3d. per ton; on all waggons or carts, 1s. 6d. per cart; on pony cart, truck, or barrow, 1s. per cart.

2966. Those sums are payable to Mr. Horner?—They are payable to Mr. Horner in regard to those two markets. The agreement also provides that “the Company will on their next application on Parliament for general powers, and not later than two years from the date of the agreement, apply for and endeavour to obtain statutory powers empowering them to carry on the Stratford Market and the Bishopsgate Market as markets for the sale of vegetables, roots, and fruit, under and subject to the provisions of this agreement, and any Bill promoted for that purpose shall provide for the confirmation of this agreement, and the said Robert Horner and the lessors (or those claiming through them) shall, at the expense of the Company, concur in and signify their assent to the application for such statutory powers.” And the same agreement by article 18 provided as follows:—“Until statutory powers as aforesaid shall be obtained these presents shall continue in full force and be binding upon the parties hereto and their respective representatives. Provided always, and it is hereby agreed, that if within three years from the date hereof statutory powers as aforesaid shall not be obtained with respect to the Stratford Market, then these presents, so far as the same relate to the Stratford Market, shall become void, and that if within the like period statutory powers as aforesaid be not obtained with respect to the Bishopsgate Market, then these presents, so far as the same relate to the Bishopsgate Market, and the said goods station shall become void.”

2967. I believe you went to Parliament and you promoted a Bill to carry that agreement out?—We did in the year 1887, which was the first year in which we had an Omnibus Bill before Parliament after the agreement with Mr. Horner had been made.

2968. And in that Bill provision was made to carry out those articles in the agreement?—That was so.

2969. That Bill, I suppose, went to a Committee in the usual way?—It went before a Committee presided over by Mr. William Robert Hanbury on the 7th of March 1887,—it was opposed by the Corporation of West Ham, by the Corporation of the City of London, by the owners of Columbia Market (the Baroness Burdett Coutts and Mr. William Burdett Coutts), and by the lessees and tenants of the stalls in Columbia Market.

2970. Then you had with you the owners of Spitalfields Market and Sir Julian Goldsmid and his co-proprietors; and you had against you the Corporation of the City of London and the Corporation of West Ham, and the owners of Columbia Market, of which we have not heard anything as yet?—That was so.

2971. What was the result of that inquiry?—It was a very long inquiry. The Committee devoted an immense amount of attention to the Bill; and the inquiry extended over three weeks, the greater part of that time being occupied in discussing the market clauses in the Bill. It was an Omnibus Bill.

2972. You mean that the rest of the Bill was not in dispute?—Part of it was in dispute, but the bulk of the time was occupied by the market clauses. It became very evident, as the inquiry went on, that the Committee were adverse to confirming the agreement which the Company had made with Sir Julian Goldsmid and Mr. Horner.

2973. On what ground?—Particular stress was laid upon the fact that there was a provision in the agreement that compensation in a certain shape should be paid to the Spitalfields Market authorities for the disturbance of the trade of their market; and stress was laid upon the fact that no compensation had been allowed in the case of the Columbia Market Act of 1886, or in the case of the Riverside Fish Market Act of 1882.

2974. That was the Shadwell Act?—It was. Nor was there any compensation allowed in the case of

the South London Market Act of 1882. That was Mr. Samuel Plimsoll's market.

2975. And those were markets which were within the privilege of the City of London, but which paid nothing to the City of London?—They paid nothing to anyone I believe, either to Mr. Horner or to the Corporation.

2976. And, therefore, nothing having been paid in that case, you were not allowed to have validated an agreement with Sir Julian Goldsmid, which involved your paying something to him and his friends?—I think I am right in saying that it was plainly indicated to us that we might make any agreement that we like with Mr. Horner, but that Parliament would not validate it.

2977. What did the House of Commons ultimately do?—The House of Commons found that we had overwhelmingly proved by every witness that we called before them that it would be in the public interest to sanction the establishment of markets for the use of the public generally at Bishopsgate and at Stratford.

2978. Such markets as you had originally proposed?—Such markets as we had originally proposed, and they did therefore pass the Bill legalising the markets. They required, however, certain clauses to be inserted for the protection of the public, which clauses we very willingly accepted. One clause that they inserted was a clause defining the market limits; and another clause deals with the plan and accommodation of Stratford Market. And here, perhaps, I had better table the plans which were submitted to the Committee, and which were approved of by the Committee, and which are referred to in these particular clauses (*producing some plans*).

2979. As having been signed by Mr. Hanbury, the chairman of the Committee?—Yes. One defines the market limits of Bishopsgate. There are about four and a half acres there. This (*producing another plan*) is the plan defining the limits of Stratford Market; and this plan also was signed by Mr. Hanbury. The original size of Stratford Market, and indeed the size of it to-day, is about two and a half acres only; but we undertook when we were before the Committee to enlarge the two and a half acres to an area which is as nearly as possible four and a half acres; and we took power also to increase the size of the market at a future time, if need be, by two acres more.

2980. But to the extent of the first two and a half acres you were bound to enlarge it?—We were bound to do that within two years of the passing of the Act.

2981. Then you were bound to maintain certain roads and approaches, were you not?—We were. This (*pointing to the plan*) is the approach to Stratford Market from High Street, Stratford. The other entrance is along here, from the direction of Woolwich. We undertook to provide that approach, which would have involved us in the expenditure of a very large sum of money; but still we regarded that approach also as a necessity.

2982. (*Mr. Little.*) That would have given a run right through from end to end?—It would. It was considered as a necessity for the full success of the market.

2983. (*Mr. Childers.*) Then you were bound to treat the charges of the market somewhat in the nature of terminals, entirely separate from the ordinary charges of the company?—We should have been. It was admitted that we were entitled to charge certain market tolls altogether in excess of the rates charged for conveyance along the line.

2984. Were those tolls in lieu of terminals?—No.

2985. Were they in addition to your regular terminals?—In addition to the regular charges.

2986. You could only charge in respect of goods coming to the market your regular rates?—That is all.

2987. And those were to be in lieu of any terminals?—The market tolls were in addition to the ordinary charges for conveyance by railway.

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2988. But did those ordinary charges include terminals, or did they not?—Some of them do and some do not. It depends entirely upon how the railway charges are made. Many of our rates have no provision made for terminals at all.

2989. Then there was a special clause excluding the operation of the proviso of a section in the Public Health Act; what was the meaning of that?—That means that under the Public Health Act, if a market had been started in opposition to ours, our consent would have been necessary. But we said, "We do not want our consent to be asked at all; we have no desire to receive compensation; we are quite prepared to let our market stand upon its own bottom, and to sink or swim by its own merits."

2990. Were you bound by the Act to put goods coming in over the railway upon precisely the same footing as goods coming in by road?—We were. We undertook to treat in every respect, so far as circumstances would allow, the road-borne traffic upon perfect equality with the rail-borne traffic; and we said as evidence of our *bona fides* upon that point:—"If any difference should arise between us, let the case be taken to the stipendiary magistrate of the district, and let him settle the question between us."

2991. And you were also bound to make certain reservations in favour of Columbia Market, were you not?—We were. Mr. Burdett Coutts in his opposition to this Bill, said he was afraid that if Bishopsgate Market were opened, Columbia Market would be shut up. The Committee thought therefore that Columbia Market ought to have a fair start, and sufficient time was given for the construction of the railway to Columbia Market, which railway had already been sanctioned, before the opening of Bishopsgate Market was sanctioned by the Bill.

2992. The provisions with regard to the Bishopsgate Market and the Stratford Market in all these respects were somewhat similar, were they not?—Yes, very similar; but there was this important distinction as between Bishopsgate and Stratford: We were not required by the Act to deal with road-borne traffic at Bishopsgate, because at Bishopsgate the market is not laid out for the accommodation of such traffic. It is laid out simply for rail borne-traffic.

2993. But in all other respects practically the provisions were the same?—Practically the same.

2994. That Bill passed the House of Commons at the end of March in that year, did it not?—Yes.

2995. What took place afterwards when the Bill came before the House of Commons again in the report of the Committee?—The Bill was before the House again upon the 12th of April 1887, when Major Banes and Mr. Forrest Fulton, the members for West Ham, gave notice that they intended to oppose the Bill; and on the 28th of April, when the order for consideration of the Bill was read, Mr. Ritchie, the President of the Local Government Board, moved that the Bill be re-committed to the former Committee upon the Bill, in order to consider clauses to provide that in the event of a public authority being appointed the market authority for the district in which the proposed market is situated, and being empowered to acquire existing markets, no compensation for market rights, tolls, and charges, granted under the Bill should be payable to the Railway Company, it apparently being assumed by Mr. Ritchie that Parliament would hereafter provide that all market rights should be in the hands of public bodies.

2996. Mr. Ritchie had in view the appointment of this Commission?—No doubt he had.

2997. Without giving us the whole of the wording, that practically means that if on the report of this Commission the policy of granting exclusively to Corporations the power of holding markets should be adopted, you would get no compensation?—No compensation whatever.

2998. Did that pass the House of Commons?—It did.

2999. What happened in the House of Lords?—When the Bill reached the House of Lords, it was opposed by the Corporations of West Ham and of London, by Sir Julian Goldsmid and by Mr. Horner, by the Baroness Burdett Coutts, Mr. Burdett Coutts, and by the lessees and tenants of stalls in Columbia Market.

3000. The same opponents that you had before the House of Commons?—Yes.

3001. How did the House of Lords decide the question?—The main ground of opposition taken up in the House of Lords was that the Government having undertaken that a Royal Commission on Markets should be appointed, no legislation as to markets should take place until the Commission had made their report; and in the end the clauses dealing with the markets question were, by the House of Lords, struck out.

3002. So that the whole of the market proposals disappeared entirely?—Precisely.

3003. And you, I suppose, are waiting now for the report of this Commission before taking any further steps?—We feel that it is no use making a move until the Commission have reported.

3004. And until Parliament has laid down some principle?—Precisely.

3005. That being the history of your long struggle, will you be good enough to tell us what your own views are upon the general question?—I attach the utmost importance to all future markets being connected with a railway, because if the market is connected with a railway the trucks containing the vegetables can go into the market, and the cost of carting from a railway station, as at present to the market, is so avoided. Besides that, at least one handling is avoided, and you save of course also the injury that must more or less arise by the handling of vegetables.

3006. You would not lay it down as a law that no market should be allowed to exist which did not communicate with a railway?—No; but the gain by reason of a market being alongside of a railway is so manifest that I have no doubt that all, or nearly all, future markets will be connected with railways.

3007. But what would be your view as to the policy to be adopted by Parliament in respect to the formation of markets?—I should say that the more markets there are for London the better. We, the Great Eastern Company, have never sought any monopoly, we have always said, "Let there be as many markets as may be reasonable and necessary."

3008. So far as London is concerned (and I suppose you only speak at this moment for London) you only look at the present state of things as being a complication of monopolies?—I do; and the sooner they are broken down the better.

3009. Would you like to see these monopolies got rid of and the formation of a market free to anybody who chooses to enter into that speculation?—To anybody.

3010. You would give no advantages to Corporations or representative bodies?—No.

3011. If they chose to establish markets you would allow them to do so?—I would.

3012. But you would have absolute free trade in respect to markets?—Yes, as regards the number of markets.

3013. Would you extend that to all markets?—To all markets.

3014. To fish and stock and vegetables, fruit, and every kind of produce, whether alive or dead?—I would.

3015. With regard to live stock, I suppose you would have proper and reasonable police provisions for the use of the streets?—Yes, such exist already.

3016. But in other respects, are we to understand that while you say that a market would be very much better for the public use, if it was connected with a railway, you wish that there should be no restriction whatever upon the power of forming a market?—Certainly not.

3017. Absolutely none?—Absolutely none.

3018. You are in a position, I believe, to give us a good deal of information as to other markets which have been formed in connexion with railway companies?—There is one very celebrated case of the Great Northern potato market at King's Cross. That has been open for very many years—for more than 20 years I have no doubt. It does an enormous trade, a far larger trade than we have ever done at either of our markets, and no doubt it has been a very great advantage to the population of London.

3019. You consider that it was established in violation of the principle expressed by the House of Lords in the dispute between yourselves and Sir Julian Goldsmid and the Corporation?—Yes.

3020. But nevertheless it exists?—It does.

3021. Nobody has taken the trouble to attempt to close it?—I understand that to be the case.

3022. Do you happen to have any facts to lay before the Commission with respect to that market?—I have no precise information as regards King's Cross Market, but I have certain information regarding our Bishopsgate Market. I have said that that market was opened in July 1882. Now in the year 1880, the total weight of vegetables that we brought to London was 32,000 tons.

3023. That is to say, brought to London for use anywhere irrespectively of markets?—For use anywhere. The weight in 1881 was practically the same, 33,000 tons; but in the year 1882, when our market was opened, the weight suddenly jumped up to 52,000 tons.

3024. It was open for six months was it not?—For six months in 1882, but for the whole of 1883. In 1883 there is another big jump from 52,000 to 66,000 tons. Then, the following year, when the market was closed, the increase is comparatively small for the total weight, there is only 69,000 tons; in 1885, 79,000 tons; in 1886, 82,000 tons; and in 1887, 87,000 tons. Now whilst, as you will see, there has been a growth going on, I am quite sure that that growth would have been very much larger if the market had been kept open.

3025. You consider that the Great Eastern goes into districts which are singularly favourable to the production of the articles which would be brought to such a market?—That is so; it is entirely an agricultural district.

3026. And the business, particularly the garden produce, and the root business, is very much increasing in the country, and you think that if a market is connected with the railway, the sale will greatly increase also?—I have no doubt whatever it will.

3027. Can you illustrate your doctrine by what has happened in connexion with Columbia market?—Columbia market has been in existence for very many years, but it is a singular thing that it has always been a failure. If it had possessed railway accommodation I have no doubt that it would have been a success, and that was evidently the feeling of Mr. Burdett Coutts, for he obtained parliamentary powers to construct a short line between the North London Railway and the market. That short railway, however, has not yet been commenced, and Mr. Burdett Coutts has a Bill before Parliament this session for an extension of time wherein to make it.

3028. From the very first the market was a failure?—From the very first.

3029. It was opposed very much by the Corporation, was it not?—No, I do not think it was. It was transferred if you remember to the Corporation later on.

3030. But in its early stages did not the Corporation practically extinguish it; without saying so, is it not understood that the opposition of the Corporation killed it?—I do not think so.

3031. However you now think, as we gather, that if this branch railway from the North London line is made into Columbia market, that market may do a considerable business?—Yes. Its chances of success

at all events will be very much greater with railway communication.

3032. Can you give us in relation to the Stratford Market similar figures to those which you have given as to Bishopsgate Market?—It was, as I have already said, in the year 1879 that the Stratford Market was opened. The first perfect year of its opening was 1880, and in that year the weight of potatoes, roots, vegetables, and fruit received by rail at Stratford Market was 5,000 odd tons; in the year 1881 it was 9,000 tons; in 1882 it was 12,000 tons; in 1883 it was 12,000 tons; in 1884 it was 16,000 tons; in 1885 it was 19,000 tons; in 1886 it was 25,000 tons; and in 1887 it was 33,000 tons.

3033. That was the tonnage, railway-borne, was it not?—Yes, railway-borne exclusively.

3034. Can you give us any particulars of the road tonnage, the number of carts or vehicles coming into the market?—We did not keep any exact record of the number of carts coming in by road until the year 1886. The number then was 6,184, being at the rate of twenty per day.

3035. About how many tons would that be; how much is a cart supposed to carry?—It varies very much. I should say that you might average it at two tons. There are waggons as well as carts.

3036. Then that would be about 12,000 tons in 1886?—About that quantity.

3037. And how much in 1887?—As nearly as possible the same.

3038. Do you treat railway-borne and road-borne produce exactly upon the same footing at Stratford Market?—Of course the charge has to vary, because in the case of a truck of potatoes coming in it would be so much a ton, whereas if a cart comes in the charge would be so much per cart.

3039. Which is the heavier charge upon the whole?—Practically it works out the same as nearly as possible.

3040. You pay to Mr. Horner, without parliamentary powers, under the arrangement with him, 3d. per ton, do you not?—Yes, we pay him certain tolls, one of which is 3d. per ton for potatoes brought into the market by rail.

3041. And you also pay him so much per waggon or cart, do you not?—We did.

3042. Have you had any serious complaints about Stratford Market from the salesmen or tenants?—No. There is no doubt that there was one quarrelsome tenant of the Company, Mr. Maurice Russell, who, I believe, is to appear before you; he is a man very fluent of speech, and he has made certain complaints against the Company. We say that there is little or no foundation for them, but that on the contrary we have managed the market with an amount of success which has been very advantageous to the public.

3043. Then we understand that you wish to sum up your evidence in general words thus: that you think the Stratford Market ought to be allowed to be continued, and that Bishopsgate Market ought to be allowed to be re-opened?—Precisely.

3044. And you look upon Stratford Market as having done great things for the public, and you think that Bishopsgate Market will do great things for the public?—Yes.

3045. You do not wish to interfere in any way with the Corporation of West Ham?—We do not.

3046. You would let them do just what they like in the matter of markets, but you think that in these matters, as you have said before, there should be absolute freedom?—Yes, free trade in the sense of any number of markets.

3047. Do I sum up your evidence as you would wish it?—Precisely.

3048. (Mr. Elton.) I understand that this vast population is very short of market accommodation?—It is.

3049. And that there is a crying necessity for more accommodation?—Everyone must say that who is acquainted with the district.

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3050. Do you think that if the monopolies were abolished competition would supply that want?—I am quite sure of it. Railway companies, I am sure, would go in for these markets, provided that other people did not do so; and especially with us it is so important that there should be these markets in order to enable us to help the producers in Norfolk and Suffolk and other of our counties.

3051. The changes that you would desire to see made in the law of markets are not only in favour of this great semi-urban or urban population, but in favour of the agricultural producers throughout East Anglia?—Undoubtedly.

3052. With regard to that potato market at King's Cross that you were good enough to tell us of, do they take tolls there as in any other market?—No, the traffic at King's Cross all goes in by rail, and no toll whatever, I think, is taken.

3053. Then people do not take in goods so as to require to pay toll?—They do not; they merely sell produce going into the market by rail.

3054. And the people go and buy from whom?—From the tenants occupying the warehouses owned by the Great Northern Company.

3055. It is more in the nature of purchase and sale at a shop than in a market?—Very like it; just the same as at Stratford, and as it was at Bishopsgate.

3056. That may be a reason why they have not had litigation about it?—I think Mr. Horner would have had some difficulty in showing a disturbance at a place so far off Spitalfields as King's Cross.

3057. He might have found some difficulty in proving it to be a market perhaps?—You, sir, will know that better than I do.

3058. I did not mean to put any puzzle; I only meant that it might not be a market, and it might not be a disturbance of a market?—I can conceive that it is either or both.

3059. With regard to the market monopolies which you spoke of, the privilege and benefit of a market, I presume, consists in taking tolls?—Yes.

3060. And that involves preventing other people selling, in order that you may receive toll. What you want to do is practically to abolish markets as being an obsolete system?—I should not go so far as that.

3061. But if there were a perfectly free market in the sense that you have been speaking of, it would amount, would it not, to doing away with markets, and having unrestricted sale and purchase for everyone?—My views do not go quite so far as that.

3062. I want to draw from you practically what your view is. If you did away with the market monopoly system, how would you provide for the tolls?—I think it is only right that anyone incurring the expense of constructing a market should have the power to take tolls. I thought I explicitly answered the Chairman, that I meant free trade in markets in the sense of there being any number of markets.

3063. Free trade in markets is a thing which has often been mentioned to us, and it is very important to know what is meant by the expression. I can understand a monopoly of a market, because a market has a monopoly of taking toll within a certain district. How would you have a lot of markets with competing tolls; would there not be great inconvenience and difficulty about that?—I do not think that there would.

3064. The tolls would be starved, would they not?—I think, on the contrary, that if I and half a dozen others like to band ourselves together and construct a market at an outlay, say, of 30,000*l.*, we are fairly entitled to remuneration by way of toll.

3065. Then you say, do you, that there is to be no rule against your rival in the trade setting up another market the next day next door to you?—I think there ought to be competition in markets.

3066. Do you not think that would check development in trade, because you spent your 30,000*l.* on the guarantee of having so much toll to repay you. If that toll was to be taken away directly you established a good trade there, by your rival in trade coming and

taking away your business, how would you meet that; would not that discourage trade?—I think not. The same thing happens with all traders in London.

3067. But they have not the power of charging tolls to the public?—No; but I stand the risk of getting a trade which should yield me a profit. Take railways for instance. The Great Eastern Company is not free from competition.

3068. Would you extend your theories to railways, and allow any number of railways to be placed alongside each other?—It has been extended already.

3069. You understand that I am not contesting your view, but am only trying to bring it out. The market being itself a monopoly, it seems to me that it would be difficult to have universal markets which were not monopolies, but you think that the difficulty might in practice be got rid of by having competition in tolls?—I have no doubt about it. I should have no fear of it.

3070. Then the effect would be this in another respect, would it not, that one person would go to Parliament and get power to create a market, charging a certain toll, say of 100, or whatever figure you like to take, and his competitor would go to Parliament and take power to do it for 90 or 80, so as to cut him down. How would you provide against that inconvenience?—I take it that there would be a competent tribunal established, who should lay down some general rule as to what should be fair, and that that rule would apply to all markets unless there were exceptional circumstances.

3071. Do you think that a Parliamentary Committee, for instance, would be likely to reject a proposal to bring food to an urban district at a cheaper rate than the existing markets, supposing that the principle of monopoly is done away with; would it not be an advantage to the public if your trade rival will come and do it for half the money?—I should say that the public interest ought to be very largely consulted even in that respect.

3072. Then you would not have exactly a system of free sale and purchase?—No.

3073. You would still make the public pay toll under a quasi-monopoly, only the monopolists should compete amongst each other?—I do not look upon the toll as objectionable; I look upon it as part of the rent of the stall or warehouse that each tenant may occupy in the market.

3074. That brings it out very clearly. Then you would confine the toll to the case of vendors, and take care that it never fell upon the purchasers more than could be helped?—Undoubtedly.

3075. You are aware that in many markets, whoever brings the property into the market to be sold pays the toll?—It should be the vendor, I think, that pays the toll.

3076. You think that it should be the vendor at a fixed stall or place?—It may be in varying quantities, but I think that the toll should be paid by the vendor, and that the vendor should look upon the toll as part of the rent.

3077. So long as tolls are made similar to payments for stallages, you think that they might work into a free market system?—To a large extent. That is to say, the market might become a very long row of shops.

3078. Only with the power of charging the public a fixed rate of toll?—The shopkeepers would be charged; the purchaser should not be charged.

3079. The purchasers would not suffer?—No.

3080. But the shopkeepers, you think, would not compete amongst themselves so as to destroy the market system that you wish to establish?—There would be a certain amount of competition. As a matter of fact it is well known that many tenants of a market do strive to work very much together.

3081. And you think that one market would not cut down the tolls unduly against another, because they would be governed by the circumstances and necessities of the case; they would have to recoup

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themselves for the outlay, and they would not get much more in any case?—Precisely.

3082. You think that the tolls would be regulated entirely by competition, and would be a mere re-payment for the market accommodation?—That would be the tendency.

3083. It is obvious that no monopoly tolls could survive such a competition?—They could not possibly.

3084. So that if there is any difficulty about tolls it would be reduced to a minimum in the way that I have suggested?—Certainly.

3085. (*Mr. Charrington.*) Are you aware what the ground of the opposition on the part of the Parliamentary representatives of West Ham was to those clauses in the Great Eastern Bill of last year which related to Stratford Market?—It came out very clearly that the West Ham Corporation wanted a market monopoly.

3086. Their desire was to favour the corporation as against the railway company?—Yes. Notwithstanding the Mayor of West Ham, Mr. Meeson, admitted that our market had done a great public good, and that the public good might be still further promoted by the continuance of our market.

3087. Are you aware whether any steps have been taken by the corporation of West Ham in contemplation of establishing a market of their own?—Yes. They deposited a Bill for the present session, taking power to establish a market and to extinguish ours by-the-bye; but there were one or two meetings of the ratepayers to consider it, and the ratepayers would not listen to the expense being incurred, and the market clauses of the Bill, therefore, have been expunged.

3088. I have heard it alleged that the Great Eastern Railway bring foreign produce over their line at a lower rate than that charged for English produce; is that the case?—There is no doubt that many of our rates for foreign produce are lower than those for English produce. But practically the Great Eastern Railway Company have nothing to do with the fixing of the rates for foreign produce; they are fixed by the carriers by water to London direct, and we merely have to follow them. We cannot charge more. If we do not carry at all it is a monopoly to the carriers by water direct.

3089. (*Mr. Harwood.*) As I understood you, you said that you were in favour of free trade in markets, just as you were in favour of free trade in shops?—Yes, as regards numbers.

3090. I suppose what you mean is this: that if anybody or any combination of men built a market, they must take the consequences of the market; if it does a good trade and pays them well, they take the profits of it and put them in their pockets; but if somebody else thinks there is room for another market, they should be allowed to build that market and take the consequences of it as a commercial enterprise whether it be good or bad, just the same as if a man builds a big shop, as a draper or as a grocer, and does a large business and gets a monopoly of the trade in his neighbourhood by attending to it, you would not prevent another draper or another grocer from setting up a similar shop if he likes; is that your meaning?—That is my meaning.

3091. Then you do not think that these monopolies are good?—I do not.

3092. You pay, I see, 3*d.* per ton to Mr. Horner for potatoes; I suppose he renders no service to you in return for that in any shape or form?—He renders no service to us whatever for the payment.

3093. That is in fact the price of peace?—Yes, the price of being allowed to continue the market.

3094. You would rather pay that than have a long litigation with an uncertain result?—Precisely.

3095. I understand you to say that when you wanted to establish this market in the interest of the people who required this food, you had two authorities to contend with, one of those authorities being Mr. Horner in Spitalfields Market, who presumed to have, and I suppose has, a monopoly of vegetables

and fruit and so on, and the other being the Corporation of London as regards fish. When you came to show that you were going to benefit the people, you say that you got your privilege to sell without any tax upon the food by the Corporation of London, who let you go on without paying them anything?—Quite so.

3096. But the other authority would not let you go on?—They would not.

3097. Then they exercised their right to tax the food without rendering any service or doing anything whatever for the public or for you, or for anybody else in connexion with that food?—They render no service to us, nor am I aware that they render a service to anybody else.

3098. It is a clear tax upon the food of the people without any service being rendered, and that you think is a great evil?—I do not think that in our case the public are injured at all, because we pay the tax, and we can afford to pay it by reason of getting a large amount of extra traffic on the rail, the market being ready to receive it.

3099. Do you mean to say, then, that a tax can be put upon food or upon anything by the vendor, that does not ultimately come upon the consumer of it?—It may in a very remote way, but we pay the threepence ourselves, and we charge it to no one, and we can afford to pay it out of the profit that we make in carrying the traffic on the railway.

3100. Do you think it is possible to charge 1*s.* 6*d.* per truck load upon green vegetables without that 1*s.* 6*d.* ultimately coming upon the consumer of that food, whoever it may be?—Some part of it may come upon him, but most of it I think, on all rail-borne traffic, comes upon us, because we are satisfied to pay it by reason of the payment of it securing to us a trade on the railway which otherwise we should be without.

3101. Would it not be sold at 1*s.* 6*d.* less if that were not charged?—I do not think it would.

3102. Yours is a powerful railway company; supposing that you should be unable to supply this immense neighbourhood, which I see is growing at a rapid pace, and that another market was found to be necessary in that neighbourhood, do you not think that there would be a difficulty in getting you, as a carrying company, to deliver goods into another, and what, for convenience sake, I will call a rival market? Do you not think that you, having acquired a monopoly, and being a carrying company, and getting to know the persons who produce the articles, would be likely to stand very much in the way of the local authority of any district setting up a market for the distribution of food?—I say, unhesitatingly, no. Our policy is to encourage as many markets within a reasonable number as possible, because we do not get and should not look to get our profit out of the market, but we look to get the profit on the rail; and the more traffic we can get on the rail the greater would be our profit.

3103. (*Mr. Charrington.*) Could you not re-open Bishopsgate Market under the same conditions as regards the lessee of Spitalfields as you have done at Stratford?—We could; but the directors of the Great Eastern Company, finding what a troublesome question this was, thought it was wiser not to attempt to re-open Bishopsgate Market until some legislation had taken place.

3104. (*Mr. Little.*) Referring to the first part of your evidence as to the district through which your line runs, I presume that, being constantly about on the line, you are well acquainted with the district?—I am.

3105. And you are in frequent communication with officials connected with the line, and you know what is going on?—I do.

3106. There has been a considerable increase in the growth of roots and vegetables for London, I presume, in the last 10 years?—A very large increase.

3107. And that increase is continuing?—Yes.

3108. Is it your opinion that it would be still more rapid if there were greater facilities for disposing of

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the produce?—I have no doubt about that; and I would submit that that is amply proved by the figures which I have given. The growth at Stratford is very much greater, although Stratford, comparatively speaking, is a small place, than in London, where there is no market open alongside of or in connexion with the railway.

3109. Probably you know that land which is available and suitable for growing roots and vegetables for sale is lettable at the present time in the Eastern counties, while land which is more remote and not available for such purposes can in some cases hardly be let?—Undoubtedly so.

3110. The question of position is a very important one at the present time?—It is.

3111. In the neighbourhood that I come from there is a very large growth of potatoes and carrots and vegetables of all kinds that come to you; if those can be sent to a market in connexion with a railway, so that they have not to be removed by van or handled again, is it not a great advantage to the seller?—It is a great advantage. In the evidence that was given before Mr. Hanbury's Committee last session one or two people put the saving in the item of cartage alone down at 5s. per ton.

3112. Supposing the saving to be 2s. 6d. per ton, and that a crop of mangel-wurzel, say, is 30 tons an acre, that represents the whole rent of the land, and a very good rent?—Yes; but it was not suggested that that saving of 5s. per ton applied to mangel; it was on vegetables for domestic consumption. In London, I suppose, mangel can be carted for 2s. or 2s. 6d. a ton. If you take your figure at 2s. 6d. for mangel it is about right.

3113. Speaking with regard to the tolls, Mr. Harwood asked you whether they fell upon the consumer. On the other hand, should you say that they fall upon the producer, or do they fall upon you?—They fall upon us, there is no doubt.

3114. But supposing that you had not to pay them could you not convey the goods cheaper?—That question might arise; but the important thing to us is to get the market, so as to benefit the producers and the consumers; and in order to get the trade we are content to pay out of the profit that we make on the railway the toll we have to pay.

3115. I believe that, with a view of encouraging this traffic, you have very low rates on large bulk?—We have. The maximum rate for the conveyance of potatoes to London from any station, with one or two exceptions, in the Great Eastern district in five-ton lots, is 8s. 4d. per ton.

3116. And from some stations it is considerably less than that?—Yes; that is the maximum, and our maximum distance is 140 miles.

3117. Complaints which are made of Stratford Market, in its present state, would not, perhaps, some of them be applicable to it if it could be improved as you sought to improve it. For instance, as regards the approaches?—Precisely. We admit freely that our original intention in establishing Stratford Market was to provide a market for rail-borne produce. But after the market had been open some time the tenants urged: "Well now, it is no use relying upon rail-borne produce only, we must have in the market, if it is to be a success, something of everything—spring onions, if you like, and parsley, and small vegetables that are not grown in the Great Eastern district." Therefore it was that we said: "Very well, we admit your arguments; road traffic shall come in;" and to show our *bona fides*, we employed canvassers to go about in our district canvassing for road-borne produce, because we saw that the rail and the road-borne traffic must be together for the market to be a success.

3118. And you want to draw a company of buyers?—Certainly. The accommodation, as the building was laid out originally for rail-borne traffic, is not so good as it might be for road-borne traffic; but before Mr. Hanbury's Committee we committed ourselves to

a plan which provides equal accommodation for road as rail borne traffic.

3119. Is there abundant room for these carts in the present state of the market?—No, there is not; there is a measure of room, but it is certainly not abundant. Abundant room was provided for in the amended plan.

3120. Which you were not allowed to carry out?—Which we were not allowed to carry out.

3121. And at the present time you are between two monopolies, as it were; the monopoly of Spitalfields, in existence, and the monopoly which West Ham wants to create?—Yes. I am told, too, that we are in the monopoly of Covent Garden, and almost every other market in London is, for the boundaries overlap each other.

3122. But practically there is Spitalfields on one side of you and West Ham on the other?—Yes.

3123. (*Sir Thomas Martineau.*) If there is not accommodation in the market for all the carts, and there is any amount of accommodation on the railway, the effect at the present moment must be that the railway-borne traffic has an advantage over the cart-borne traffic?—We admit it, and we have expressed ourselves ready and anxious to put it right immediately we can get Parliamentary power. This plan provides an equal amount of accommodation for the road as for the rail traffic, and if there is any doubt upon that point, if you question our *bona fides*, we said, "Take us before the stipendiary magistrate and have it settled."

3124. Do you think that the accommodation which you propose to give for the carts and waggons would be enough for all the needs of the Stratford Market?—At the present time; undoubtedly, and for some few years. We purpose doubling the size, as nearly as possible, and we took power for a further extension of two acres.

3125. You have said a good deal about your experience of the advantage of having markets connected with railways; are we to understand you to refer to the mere local physical connexion of having a railway running into the market, or does your observation go further and apply to markets under the control of a railway company?—To physical connexion only.

3126. You have nothing to say about any special advantage that a market under the management of a railway company would have?—I think that a market in the hands of a railway company would do much greater public good than a market in the hands, say, of a local authority.

3127. Why?—Because we have not only to look at the profit upon the market itself, but there is the profit on the railway as well; and with our two profits we could afford to be more liberal than a local authority relying upon the one profit. But, if I may be allowed to say so, I am not urging that railway companies should be market owners, I simply say, let them be level with everyone else, let them have the power to start a market if they can establish a case for it.

3128. On the Great Eastern Railway, have you any experience of markets in any other towns besides West Ham?—Unfortunately the Great Eastern goes to no very large town. There is Norwich, but there is no market elsewhere.

3129. (*Mr. Charrington.*) There is a very large market in Norwich, is there not?—In the centre of the town; but the vegetables sold there are mainly drawn from the immediate neighbourhood.

3130. Anyhow, the Great Eastern Company has no market undertakings elsewhere, has it?—Nowhere.

3131. (*Sir Thomas Martineau.*) Have you anything to say as to market undertakings in connexion with railways in places besides London?—I have no experience, but I should say that the law which might be applied to London might with advantage be applied to other towns. I do not see why there should be a market monopoly in any town.

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3132. I think that in some of the answers which you gave you spoke of the tolls being rightly paid as compensation for the expense involved in erecting markets, just as you would pay the rents of shops; have you considered that there are other charges on the proprietors of markets, in many cases, besides the mere cost of the building and the site?—I scarcely follow you, unless you mean compensation that may have been paid by local authorities.

3133. We have had evidence given as to a treaty which was in course of negotiation at Sheffield for the purchase of the market rights at 260,000*l.*, more than a quarter of a million of money. Of course, if the Corporation of Sheffield had bought those rights they would have invested a large sum of money on the faith of tolls being paid, and the income which they derive from their market must give them an equivalent to the annual charge in respect of that loan?—That means an additional toll or an addition to an existing toll, I suppose. I should look upon that as a part of the rent.

3134. But then how would you deal with the free competition in markets where there is no such burden?—Of course that raises the question of compensation. I think that under given circumstances compensation ought to be allowed. Perhaps I may be allowed to put it in this way. Take Bishopsgate. We are within a stone's throw, so to speak, of Spitalfields Market, and Bishopsgate being opened as a market must cause a disturbance at Spitalfields. For that disturbance I think that we, the Great Eastern, ought to pay, and we are willing to pay; but if the Great Northern Railway Company at King's Cross, which is a long distance off, likes to establish a market, and it can be shown that the market causes no disturbance, I do not think that they ought to pay compensation.

3135. I should very much like to get your view as to the case I put with reference to Sheffield. The Corporation of Sheffield were on the point of buying the market rights, and I may say that in Birmingham we have bought our market rights and given a considerable sum for them. Take the case of Sheffield as being a very strong case. Supposing that there is 260,000*l.* laid out by the Corporation of Sheffield really to buy up a monopoly, how would you deal with your free trade in markets?—I have not considered that point. It may be a case to be dealt with exceptionally. It is a very large outlay to incur.

3136. (*Mr. Childers.*) You would say, would you not, that while generally advocating strongly the system of free trade, you cannot deny that there are certain vested interests which will have to be considered?—Undoubtedly.

3137. But those you would deal with strictly, and you would only recognise them where they were perfectly clear?—The rights must exist clearly.

3138. But where the right is proved to exist clearly then the general principle of free trade must be qualified by a pecuniary recognition of existing rights?—Under certain circumstances.

3139. You have been asked by Mr. Harwood a very interesting question in political economy, and that is, who pays the toll of 1*s.* 6*d.* on goods which are brought into the market. What is the real price to the consumer? Supposing that there is no monopoly, the price to the consumer is simply governed by supply and demand, is it not?—Yes, very largely so, if not entirely.

3140. In considering what price a consumer can pay at a particular point he ascertains what is the general price in the district in that part of the country, and the price is regulated strictly by the law of supply and demand?—Yes.

3141. But if there is a monopoly, even a qualified monopoly, that monopoly tends to add something to the price?—Undoubtedly it does.

3142. And although you may not have an absolute monopoly at Stratford or at Bishopsgate, yet you have a certain qualified monopoly, and that enables you to get to yourselves a portion of that 1*s.* 6*d.*?—A small portion.

3143. How much of that 1*s.* 6*d.* you may get is purely a question of the extent of the monopoly. If you had no monopoly, and if everybody around you had competitive markets, then the whole consideration of supply and demand would come in?—No doubt.

3144. And then the price would be solely regulated by that?—Yes.

3145. But when that is not the case, as it is not the case in London, and there are qualified or even strict monopolies in existence as to different kinds of produce, those monopolies cause a larger price to be paid than strict supply and demand would justify; is not that so?—That is so.

3146. You have also been asked about there being some restriction upon every market authority having the power to fix its own tolls. Is not this practically what it comes to: that where you have to go to Parliament for power to form a market, Parliament may be justified in fixing a maximum toll in exchange for the benefits which it gives to the market authority? You go to Parliament now partly to interfere with the monopoly, but, irrespectively of interfering with the monopoly, you go to Parliament for the power of taking land by compulsion and for the other powers which are in an Act of Parliament of this character. In exchange, Parliament is perfectly justified, is it not, in saying, you shall not charge more than a certain rate of toll?—Quite so, and that is the practice.

3147. And that is the principle which governs the construction of every railway, but railway companies and other companies established by Act of Parliament do not necessarily charge their maximum toll?—They very rarely do so.

3148. In many cases they do not charge more than half of their maximum toll?—Quite so.

3149. Therefore, practically, Parliament, in the case of the great majority of railways at the present time, does not fix the tolls at all, but it prevents the qualified monopoly which it gives, even in the sense of compulsory powers to take land, being used hostilely, and it says that the public shall not be charged more than such and such a toll. But if it were in the power of a body of persons to erect a market themselves without being under the necessity of coming to Parliament at all, if they could obtain all their land and frontage privileges without Parliamentary interference, then I suppose you would say that the market ought to be unlimited in its right of charging tolls?—Yes, certainly.

3150. The only consideration why Parliament should restrain you from charging above a certain toll is, that Parliament is giving you privileges?—Precisely.

3151. And if you had free trade, and Parliament gave no privileges in any particular case, then you might charge what tolls you pleased?—Certainly.

3152. A toll is nothing but the rent of a portion of ground which takes the name of a stallage, possibly a charge made on the particular article; but the market owners are perfectly at liberty, are they not, to say if it is not a Parliamentary market, we will charge so much for admitting such and such goods into our property?—Yes.

3153. A shopkeeper is at liberty, if he chooses, as is the case in some countries and in some towns, to take goods to be sold on commission; he may charge what commission he chooses, and a toll is nothing but a commission?—It is part of the rent.

3154. (*Mr. Elton.*) When I was asking about tolls, I was not meaning contract prices or commissions, but sums of money that could be recovered forcibly under the name of tolls?—The items of tolls which appear in the schedules.

3155. And you distinguished those from stallages?—Yes.

3156. (*Mr. Childers.*) Do you happen to know that we have had a case before us at great length of a market which is partly under charter and which is partly carried on upon ground privately purchased

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outside the charter, to which the charter does not apply in the least, but that in each case the owners of the market levy what they call toll, though in one case they have no power, it being a matter of contract, while in another case they have the power because it is matter of charter? That is what I meant by toll,—not toll in the technical sense?—Of course there is an important difference between the two.

3157. (*Mr. Harwood.*) Of course, if Parliament grants no privilege, Parliament cannot meddle in any way, though there may be exceptional cases. If you have free trade, everybody would sell and buy what they liked, and as they liked. Toll in a market may be assumed to be for accommodation in the market and for services rendered in the market in the way of

watching and lighting. But I wanted to show clearly that this toll had a far reaching influence, and that in this case where the market owners neither rendered service by providing space nor by watching or lighting, nor did any other thing in any shape or form, yet this monopoly reached out its hands and taxed the food of the people. A toll may be taken for accommodation provided, and no doubt that was the original intention?—Probably so. Before I conclude my evidence, perhaps I may be allowed to show the Commission this photograph (*producing a photograph*). That sight is to be seen daily at our Bishopsgate station. The east end of suburban London has practically been taken possession of by working men, and we carry 25,000 working men every day.

The witness withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

THIRTEENTH DAY.

Friday, 9th March 1888.

PRESENT:

THE RIGHT HON. THE LORD BALFOUR OF BURLEIGH IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART., M.P.
SIR THOMAS MARTINEAU.
MR. SPENCER CHARRINGTON, M.P.

MR. JOHN J. HARWOOD.
MR. WILLIAM C. LITTLE.
MR. JAMES ALLANSON PICTON, M.P.
MR. T. BARCLAY COCKERTON, *Secretary*.

MR. FREDERIC EDWARD HILLEARY, M.A., LL.D., examined.

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3158. (*Chairman.*) We understand that you are town clerk of West Ham?—I am.

3159. The borough is a municipal borough wholly situated in the county of Essex, is it not?—It is.

3160. And it contains an area of $7\frac{1}{4}$ square miles?—Yes.

3161. Your population has increased very largely during the last half century, has it not?—It increased from 11,580 in 1831 to 127,593 in 1881.

3162. At present the population is estimated at 180,000, is it not?—It is.

3163. Does the borough return two members to serve in Parliament?—Yes.

3164. Up to the year 1878 we understand that there was no market in the borough, the nearest one being Spitalfields?—Yes.

3165. Will you state what occurred after that time?—In 1878 the Great Eastern Railway Company constructed a market on the vacant ground at the then Stratford Market Station. Mr. Horner, as the lessee of the Spitalfields Market, opposed them, and an agreement was entered into between Mr. Horner and the Great Eastern Company, and they carried on their business of a market until last year, when they sought to have their rights confirmed by Parliament. The council of the borough very strongly objected, and they fought the Great Eastern Railway Company in Parliament. The Select Committee, however, thought that the promoter's case was proved, but were very hostile to Mr. Horner being in any way mixed up with it; and they brought pressure to bear upon the company, and all the clauses relating to Mr. Horner, which were principally those contained in an agreement scheduled to the Bill, were omitted. Then we had an interview with the President of the Local Government

Board, and expressed our views very strongly, that a saving clause should be inserted for the protection of the local authorities; and this amendment was inserted:—
“In the event of any public authority becoming the market authority for and establishing a market within the district or borough in which Bishopsgate or Stratford Market is situated, the market rights and powers by this Act vested in the company shall cease and determine, and no compensation shall be payable to the company therefor. Provided always, that the company shall in such case have power to retain the sites of their markets at Bishopsgate and Stratford as portions of their goods stations at such places respectively.” The council were perfectly satisfied with that, because it gave the Great Eastern Company power to continue their markets, which were admittedly of advantage to the borough and the people in it; and at the same time in case the local authorities should hereafter be determined upon as the market authority, our council could take over the market rights without paying an immense amount of compensation to the company, which would have been something enormous, I should think at least 150,000*l.*, if not more than that. That being so the council were perfectly content to let the company carry on the market with this proviso in the Bill. When the Bill went to the House of Lords the agreement with Mr. Horner was revived. They put in a clause reserving Mr. Horner's rights, and when it was pointed out to their Lordships what that meant, they thought, I suppose, it was a breach of faith; at any rate they threw that part of the Bill out.

3166. Was it the House of Lords Committee that took that action?—Yes, the Select Committee of the House of Lords.

3167. Then the Bill passed in that altered form?—With the whole of the market clauses struck out. It was an Omnibus Bill of the Great Eastern, and it had other matters in it.

3168. Then, as a matter of fact, the Great Eastern Company had no power under that Bill to establish a market?—None whatever.

3169. And they have none at the present time?—None whatever; they have no rights there except what they have acquired through Mr. Horner and his freeholders.

3170. You wish, I believe, to make another representation to the Commission on the general question?—If any other authority than the local authority are the owners of markets they will of course seek their own interests, and not the public interest. I do not say that guardians, who are the rural sanitary authority in rural districts, would be proper authorities to vest with market rights; but in the case of the urban sanitary authorities, I think the local boards and councils might have such rights vested in them.

3171. And you would advocate the markets being carried on at as near cost price as possible, without making a profit?—Without making a profit, after the initial cost has been paid; I think it ought to be spread over a great number of years. In my opinion the authority might be invested with the power to make a charge, because you never can tell what takes place in local matters, and there might be a very large influx of persons from outlying neighbourhoods who might cut up our roads, and so on, and they might be charged toll.

3172. (*Sir Thomas Martineau.*) Do you know anything about the constitution of the board of directors of the Great Eastern Railway Company?—I cannot say that I do.

3173. Do you happen to know whether there is anybody connected with the borough of West Ham upon the board of that company?—Colonel Makins is.

3174. Is he a resident in the borough?—Not in the borough, but in the county. I do not think there is on the board anyone resident in the borough, so far as I know.

3175. I suppose the gist of your evidence is, that the railway company has its own interest to pursue, and not specially the interests of the locality?—That is so.

3176. (*Mr. Childers.*) What then is your view as to the principle upon which markets should be allowed to be erected? Would you give every local authority of a major character (I am not speaking of very small ones) the right to exercise the Lands Clauses Consolidation Act and buy land for a market, and to erect a market?—Yes, certainly.

3177. And you would limit the persons who might erect markets to local authorities of that character?—Yes.

3178. You would, in fact, give a monopoly right of erecting and managing markets to considerable local authorities, I omit the very small ones, for which of course nobody would ever ask such rights?—Yes.

3179. Why should not private persons have the same right?—Only to this extent: that if private persons had the same right, and they had markets all over the borough, there would, from the nature of the case, be no concentration; and the object appears to me to be to have one or more central places where goods of every description can be obtained by the public.

3180. But you may erect a warehouse of any size; there are warehouses covering acres of land at the present moment, and large shops in which business to the extent of millions is conducted, belonging to private persons; why should markets be an exception to the general rule of free trade?—Of course that is an argument on the other side. I think that private people, like a company, would look after their own interests and not after the interest of the public.

3181. Why should they not?—They are quite right to do so, of course, if they are allowed to do it.

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3182. Why should there be an interference with the general law of freedom in respect to such an institution as a market, in favour of the authorities?—It would seem to be admitted that there ought to be some authority having a monopoly. It was contemplated at any rate in 1875 by the Public Health Act. Parliament at that time thought that the local authorities were the proper persons to be entrusted with the monopoly.

3183. There is no doubt that from the middle ages, during the last 500 years, there have been local market privileges of a very drastic kind granted, under which no market can be erected within 6½ miles of another; and this has come to be the foundation of the market policy of the present time; but what sense is there in it in a country constituted like ours?—Of course that is the other view of it. My own impression is that market rights should be entrusted to some authority who had the interest of the public at heart, and were amenable to the public.

3184. How do you mean "amenable to the public:" do you mean amenable to the law?—I mean to say that if a representative body like a council or local board do not carry out what they are sent to do the public will elect someone who will.

3185. But what is there in a market in itself to take it out of the category of all other classes of business, some of which are of enormous kind and extend over immense areas, but which nevertheless can be conducted without any privilege or monopoly?—Of course in a borough like ours, where there are an immense number of the artisan and poorer classes, it is desirable to keep the people as contented as possible, and to give them a liberal supply of food at as cheap a rate as possible.

3186. Do you think that granting market monopolies ensures cheaper rates for food?—Certainly, or else I should agree that I did not see the advantage of it.

3187. Then how is that in London there are constantly demands for fresh markets, some of them ousted by the mediæval law, and some of them granted after great contests in Parliament; how is it that London complains very bitterly of the want of markets now?—Do they so complain?

3188. I should have thought that what you yourself have seen of the contests before committees, and of the proceedings in the Law Courts for the last few years, would have shown how great the want was of market facilities?—Columbia Market did not pay at all.

3189. I am not talking of their paying; that is a totally different matter. A great many shops and warehouses do not pay?—But I mean to say the public do not go to Columbia Market.

3190. But you lay down the theory that there is nothing like a municipal authority to regulate this particular class of business?—Yes, I do think so distinctly.

3191. (*Mr. Charrington.*) You are clearly of opinion that the public are better served by a market being in the hands of a corporate body than by its being in the hands of individuals?—I am.

3192. (*Mr. Harwood.*) I suppose your object in opposing this market at the railway station arose from two causes: first, for fear they should acquire a market right and a privilege over you in time to come when you may think that circumstances would justify you as a corporate body in making a market for the people; and in the second place, I see that this railway market recognizes the manorial rights of the market at Spitalfields, inasmuch as they pay so much per ton to Spitalfields Market, and thereby seem to recognize a right to that privilege over your district, which right I suppose you do not admit that they possess?—Quite so.

3193. But you have no objection, I suppose, to the railway company giving such facilities for the distribution of food as the public may require; and if it can be clearly shown that the establishment of a market at the present time at the railway station would be clearly in the interests of the community, you would not object to that market being established, provided that it did

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not prejudice your position?—Certainly not; that is what we said. We had an interview with Mr. Ritchie, and with his clause we were perfectly satisfied. It has just struck me, after hearing your observation, that if the company had to pay so much money to Mr. Horner as they would have to pay, and as they agreed to pay, they could not possibly sell to the public at so cheap a rate as a public body who were making no profits.

3194. (*Chairman.*) Under the present law, will not anybody have to pay a royalty to Mr. Horner?—I do not think so; I do not think that Mr. Horner has any rights at all; and if he has any rights at all the Great Eastern Company can clearly acquire rights through Mr. Horner, and let them do so if they can. But we say that Mr. Horner has no right in West Ham, and we certainly shall never let him come there without carrying the case to the furthest point.

3195. (*Mr. Picton.*) When you expressed an opinion just now that markets were better in the hands of corporations or public authorities than in private hands did you not mean markets with monopoly rights, markets with special privileges? You assumed that all markets must have special privileges, did you not?—No, not the free trade markets. If you give free trade markets they would not have any more special privileges than the shopkeepers or warehousemen, but then you would not get the concentration of goods.

3196. Then you think that there would be a disadvantage in surrendering those special privileges and monopoly rights?—I think there would be a distinct advantage in conferring them on somebody.

3197. Would there be any disadvantage in allowing anyone who chose to try to set up a market?—I think there would.

3198. What would be the disadvantage?—The disadvantage would be that there would be no concentration and no control, and that those who set up the market would work to their own advantage, and as against the public; whereas we want local authorities to work for the public and not for themselves.

3199. Do you not think that that difficulty would remedy itself, inasmuch as it would not be profitable for private individuals to set up markets where they did not attract custom?—No, it is not remedying itself at the present moment. The Great Eastern Company favour, as I understand, their own rail-borne goods as against the goods of other lines that have running powers over their lines, and as against the road-borne produce.

3200. But in that case other people are not allowed to set up markets. I was supposing a case in which there was absolute free trade in markets, and that any one that chose was allowed to set up a market anywhere?—I think it would be bad.

3201. You said just now, did you not, that if the West Ham Corporation became the market authority you would recommend the charging of differential rates to people outside a certain district?—I was only instancing it. I suggested that markets should be absolutely free after the initial cost, spread over a number of years, has been liquidated, and that it should be left to the central authority to say whether the local authority should or should not charge rates and tolls, and if so when, where, and how.

3202. And how they should be apportioned?—Yes.

3203. So that you would allow the charging of differential rates?—I would give the local authority, subject to the central authority, power to charge differential rates.

3204. (*Sir James Corry.*) Am I right in thinking that your view is that concentration is the one great object to attain in a market?—Yes.

3205. And that your opposition to Mr. Horner having market rights in West Ham is because you do not consider that the powers or legal rights of Mr. Horner extend as far as West Ham?—Quite so.

3206. But is it not the case that the railway company were willing to come to terms with Mr. Horner,

and that actually the market is being carried on now by the Great Eastern Railway Company, though under some kind of terms with Mr. Horner?—Yes, I believe it is.

3207. Do you know whether it is a fact or not that the Great Eastern Railway Company favour growers upon their own line in preference to growers upon any other line?—I believe they do; but I think that Mr. Maurice Russell, who is coming presently, will give you more information upon that point.

3208. (*Mr. Little.*) You admit, on the part of the West Ham Corporation, that the establishment of a market by the Great Eastern Company has been a benefit to the place on the whole, though you are not absolutely satisfied with it?—Quite so.

3209. The Great Eastern Company accepted Mr. Ritchie's proposal in the House of Commons, did they not?—They did.

3210. And what alteration did they propose when they came before the House of Lords?—There was a clause put in reserving Mr. Horner's right.

3211. And that you objected to?—We did.

3212. The corporation since that time have contemplated making a market themselves, have they not?—Yes, it has been under their consideration.

3213. Did they give notice of their intention to apply for an Act?—Yes, they did. It was not included in the Bill. The clauses were drawn, but I think they were struck out.

3214. But did not your corporation give notice of an intention to apply to Parliament for power to make a market?—Yes, we did.

3215. For that purpose they had to get the assent of the majority of the ratepayers, had they not?—Yes.

3216. And the question went to the ratepayers?—The clauses were withdrawn before it went to the ratepayers.

3217. I had the impression that the inhabitants or the ratepayers refused to sanction the application?—I am pretty sure that it was not so. The clauses were dropped before the Borough Funds Act was put in force. The question of our proceeding for market rights never went to the ratepayers.

3218. May I ask why the application was not made under the Public Health Act, and why you thought of applying for a special Act?—I cannot tell you, unless it was that we had an Omnibus Bill in Parliament, and I believe it was thought desirable by our agents to include these market clauses with the other clauses seeking other powers.

3219. In the statement which you have put before the Commission I see some remarks as to the market rights having been claimed by mere squatters; is it the case that any market rights are claimed at West Ham other than those that are claimed by Mr. Horner?—No, not in West Ham.

3220. Referring to what was asked about giving a local authority a monopoly of a market, is it not on the ground that the erecting of a market is an undertaking which involves a large expenditure of capital, and probably a temporary loss?—Yes, certainly.

3221. And on the same ground as you give some amount of monopoly to a railway company, so you would protect a local board. A railway company spends a large sum of money in developing traffic, and they are, to some extent, protected against an invasion of their rights by others?—Yes.

3222. Is it not on the same ground that you would give the local board a monopoly, so far as it is a monopoly?—Yes. I look at it in this way: that the local board or some public authority could bring all the various lines into that market. They can do more than any private enterprise can possibly do.

3223. But on the point of the local authority having a monopoly, is it not because they run a risk in making a market?—Quite so; they run a risk, no doubt; it might be a hopeless failure.

3224. You only ask that they should have power to take tolls to cover their risks?—I go a little further than that, because if the local authority once took the

market up they would be the authority for all time; and I should suggest that they should have power to fix a tariff of tolls and charges subject to the head authority.

3225. But I think you said that when the money borrowed for the construction and establishment of the market had been paid off the market should then be free, except for such tolls as would cover the charges of administration?—Yes, unless from time to time any special circumstances should arise; but the general view is certainly to make the market absolutely free except so far as regards the cost of administration.

3226. (*Chairman.*) I think you must have misunderstood my question when I asked you about the rights that Mr. Horner has in your district. It is quite clear, and a matter of legal decision, is it not, that the rights of the Spitalfields Market extend to your district?—I do not think so. As I understood, Mr. Horner claimed a right within 6½ miles. The Great Eastern Company were seeking to erect a market at their Bishopsgate Station, close to the Spitalfields Market; and all that was decided by the

Houses of Lords was that the Great Eastern Company could not fix a market there.

3227. The question as between Mr. Horner and the Great Eastern Company and Sir Julian Goldsmid and the others, had reference to Bishopsgate Market, and not to Stratford Market?—Quite so; we were not parties to that at all, and we say that the Great Eastern Company may not have put the proper points.

3228. Mr. Birt, in his evidence yesterday, most distinctly stated that it was the ratepayers of West Ham who refused to allow the corporation to go on with the Bill; if Mr. Birt stated that, was he mistaken?—I think so, but I will make sure.*

3229. Surely you, as town clerk, must know how it was?—I do not like when a gentleman makes a distinct statement like that to meet it with a flat contradiction; but my distinct recollection of it is that these clauses never went to the ratepayers at all.

3230. You were town clerk at the time, were you not?—I was.

3231. When was it?—It was last November.

3232. Is there anything that you would like to add to your evidence?—I think not.

The witness withdrew.

Mr. GEORGE HAY examined.

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3233. (*Chairman.*) You are the mayor of the municipal borough of West Ham, are you not?—I am.

3234. And you have taken some interest in the general question of the administration of markets, I think?—I have for some time. The question has been generally pressed upon us for some time by the inhabitants.

3235. We shall be glad to have a statement of your views upon the question?—The general feeling of the people of West Ham is in favour of either free markets or a market in the hands of the corporation and managed by the corporation.

3236. What do you mean by a free market?—I am not in favour of a free market myself. There was one meeting, at which I presided, some time ago where an amendment was carried against the corporation in favour of free markets; but the speakers gave no definition of the term, and I do not myself hold with free markets.

3237. What is your recommendation as to the best method of managing markets?—The borough is exceedingly poor, and, speaking for West Ham, I think that every accommodation ought to be provided which will enable the inhabitants to obtain food as cheaply as possible. At the present time there is a market, which is very useful, provided by the Great Eastern Railway Company, but they do not find accommodation for road-borne vegetables and other produce that are grown in the immediate vicinity. We find that large quantities of cabbages, potatoes, seeds, and other greengrocers' produce of all sorts go principally to Covent Garden or Spitalfields, simply because at the present time there is no accommodation for them; and the principal inhabitants instead of finding what they want in their own market have to go either to Covent Garden or to Spitalfields.

3238. Do you know of any reason why the Great Eastern Company do not give the accommodation which you would like to see them give?—They pass everything at the present time from their railway to their warehouse. The goods sold in the market are principally brought from Yorkshire, Lincolnshire, and Cambridgeshire.

3239. Is it your meaning that the Great Eastern Company make conditions which favour those who send their goods by rail rather than those who do not do so?—Certainly.

3240. How is that effected by the Great Eastern?—They have shunting into the market, and everything must be passed to their own salesmen.

3241. Then is Stratford Market not an open market in the sense that anybody can get a stand in it and

sell his goods. There is no provision for his doing so. The whole of the sale rooms there are occupied by tenants of the Great Eastern; there is not a free one at all.

3242. Are you able to say that growers in the immediate district have applied for stands and have been refused?—I am not able to say any more than that we have the fact that growers in the immediate district do not send there.

3243. There may be some other reason of which you are not aware?—There may be.

3244. You are not able of your own knowledge to say that the Great Eastern Company deliberately exclude local people from their market?—The fact that they have made no accommodation for them, shows that that has been the meaning. There is no accommodation whatever; there is a little corner where one or two waggons might pull in; but the market is so crowded with other carts that it is im-

*The witness subsequently made the following explanation with reference to questions 3228 to 3232:

In the early part of November the ex-mayor received a requisition signed by 20 ratepayers requesting him to call a meeting under Schedule III. of the Public Health Act, 1875, for the purposes of considering the markets question, and I advised him that there was no power to requisition him to call the meeting for the purpose, but that as mayor he could, if he liked, fix a day for the meeting, and he did so.

A meeting was held, the present mayor presiding, and he declared in favour of the following resolution, which was duly proposed and seconded, the room being very evenly divided:

"That the Corporation be asked to introduce a short Bill into Parliament abolishing all market monopolies for West Ham, and granting full powers to the corporation, or any companies or private individuals, to open markets anywhere in the borough."

I was unwell and was not present, and as there was no legal significance in it, the particulars were not present to my mind when asked the question. I was thinking of the formal and legal meeting that had to be called, and was called, under the Borough Funds Act, and I was quite right in my answer that the clauses relating to the markets were withdrawn before the meeting was held. The council took no official part in the former gathering, nor do I believe that it had any effect on them in determining their action, which was dictated by two reasons: (1) The sitting of the Royal Commission, and (2) the Great Eastern Company not renewing their application to Parliament. If on an important question like this an adverse vote had been given to the council a poll would certainly have been demanded.

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possible, and therefore no one would think of going there.

3245. Is there any other point either about Stratford Market or upon the general question that you would like to put before the Commission?—Not except to state that I think it is the general desire of the people there that the market should be entirely in the hands of the corporation.

3246. In what way; do you mean that the corporation should have power to buy up land and establish a market with the rates as security?—Just so. That is the general feeling, I think, of the people, judging from what has taken place at public meetings that I have attended.

3247. Was any attempt made during last autumn by your corporation to promote a Bill for that purpose?—There was, and it was withdrawn on my own advice that, as this Royal Commission was appointed, I thought it would be unnecessary to proceed with it. I attended the legal and general committee, and it was entirely through my influence that the Bill was withdrawn.

3248. There was no other reason?—There was no other reason whatever, except that as the Royal Commission was about to sit I thought it would be a waste of money and quite unnecessary to proceed further with the clauses until we had their Report.

3249. If the allegation was made that the ratepayers had interfered to prevent that being carried out, that would be a mistake?—It would be untrue entirely.

3250. (Sir T. Martineau.) Have you seen any plan of a proposed extension of the market at Stratford by the Great Eastern Company?—Yes, I have.

3251. You are aware that it is proposed by the railway company to add two acres or two acres and a half to the present market?—Yes I am aware that it has been suggested.

3252. Do you think that that extension would meet the public requirements in the neighbourhood?—It would still leave the market in the hands of the railway company, which is objectionable; but I quite admit that the extension, if carried out, would meet the requirements of the people.

3253. Do you think that the places at Stratford and at Bishopsgate Stations are the best for the supply of the West Ham population?—No. If the Stratford Market was carried out as suggested, with the addition, certainly it would be more convenient than it is at the present time, because now it is situated at the extreme end of the borough, altogether away from the poor inhabitants, and they have to take a long circuit round to reach the market.

3254. No doubt this matter has been discussed in your corporation and its committees?—Not before the corporation before the legal and general committee, of which I may state that I am a member now, but was not a member last year. My information is entirely derived from my knowledge of the public feeling.

3255. Have you considered the best site that could be taken for a market?—If carried out by the corporation, we should seek a central site in order to get as near the poor as possible, and the railway would cause no difficulty, because in Bradford and other places where the market is not connected with the railway, they have run a siding in, as is done in many parts of England and Scotland for paper manufacturers, and so on. There is no difficulty in that respect.

3256. Then you have not a definite site in view, but you think it would be a more central site than either of the railway stations?—Certainly.

3257. And in selecting the site you, as the representatives of the people, would seek that which was most convenient to the inhabitants generally?—Just so.

3258. If you were the market authority, you would not be bound to confine your market to any one site, should you, if you found it convenient to have more than one market?—I think that the public feeling is that there should be one or more markets if necessary. My own opinion is that one good market in the centre of the district would be all that would be required.

3259. Why do you think that one market is preferable to many?—I think it is a saving to the rates, and we find places equally as large as West Ham where one market satisfies the requirements of the neighbourhood, and there has been no complaint. If we take Edinburgh, there is the Waverley Market there, which has been very well conducted for many years, and which is almost in the centre of Edinburgh.

3260. (Chairman.) You are aware of course that there are constant disputes and a great deal of friction between the sellers and the town council as to the management of the Waverley Market?—There are many reasons for that. There they do not adopt the same style as we adopt here. There are scarcely any middle-men; the people that come in from the country there dispose of the goods in small quantities to shopkeepers and to private individuals as well.

3261. (Sir T. Martineau.) I suppose you are aware the old doctrine is, that the concourse of buyers is the essence of the market?—Just so.

3262. And you think that you get a better concourse if you have one market than if you have a great many?—Quite so; I would not be prepared to say that I had thought the question thoroughly out, but I would rather see one good market than four bad ones.

3263. And in fact if you got the four bad ones you might miss the object of a market altogether?—Yes, just so.

3264. (Mr. Little.) I think I gathered from you that if the Great Eastern Company had been able to carry out their scheme of last year many of your objections to the market would have been removed?—Personally I would have no objection at all, but the people are not in favour of it.

3265. But as regards the country growers and those who come by road, the difficulty of their approach to the market would have been removed if those plans had been carried out?—I am rather doubtful; it is a very bad approach, and it is at the extreme end of the borough. I simply admit that it would be a great improvement.

3266. Have you compared the charges at Stratford with those of other markets?—I have looked into it a little. There is a difference between Spitalfields and Stratford, for instance, if there is a waggon in Stratford Market allowed to stand for one day, 1s. 6d. per day is charged for it; that is supposing the goods are not sold in one day, and they remain there till the next day; the charge is continuous each day. In Spitalfields it is not so.

3267. And that prejudices the growers in the neighbourhood?—It does. Scarcely one of them visits the market, although the whole of Essex is studded with market gardeners, and the soil is beautifully adapted for market gardening.

3268. (Sir James Corry.) Is it not the case that the growers find Spitalfields Market and Covent Market better for their purpose than the Stratford Market?—We have no evidence of that, because they have not had an opportunity of visiting the Stratford Market. I can state, as a large consumer myself, that I send to Spitalfields and Covent Garden because I cannot get what I require in Stratford Market; there is no accommodation for it. I would rather have it at Stratford, because it would save a lot of labour and time.

3269. But the establishment by the Great Eastern Company of that market has been a great convenience, I presume, to the West Ham people?—We admit that.

3270. But you do not want them to get a monopoly?—We do not.

3271. You prefer the monopoly being in the hands of the corporation?—I do not call it a monopoly then. We are amenable to public opinion.

3272. (Mr. Picton.) You said that you preferred one market to many because it would be an advantage to the rates. Will you explain in what way it would be an advantage to the rates?—I am not in favour of conducting a market at all as an advantage to the rates; I should simply like the market to pay its own

expenses. I do not think I used that expression, or not in that sense. I am not anxious to create funds from a market.

3273. Can you tell us, from your knowledge of West Ham, whether the want of a market is felt as a practical grievance affecting the price of food, for instance, amongst the poor?—Yes, I think it is to a large extent.

3274. Does it limit their choice of food?—I cannot say that. Unfortunately, there are many people in the poor neighbourhoods of the borough who can hardly purchase food. It limits in this sense, that they have to go further for it than is necessary.

3275. If there were a market at hand would they be able to obtain cheaply a greater variety of food?—I should say so.

3276. (*Mr. Harwood.*) What you mean, as I understand, is this, that this market of the railway is a wholesale market?—It is, to all intents and purposes.

3277. And that you do know that persons have gone to apply for space, upon the principle that if a man knew a building was full he would not try to get in; it is commonly known that there is no additional space?—But this want has been in existence for some considerable time.

3278. But you say that they have no accommodation. Supposing that a farmer wanted to bring his own goods to that market, the whole space is taken up and there is no space remaining?—Quite so.

3279. Do I correctly understand you to say this: That in the case of a small producer, who produced a few apples and a few potatoes and a few fowls, and so on, and who had a miscellaneous collection of food as the result of his farming operations, there is no place at West Ham where he could come and set down his cart and supply those things to the community?—There is no place whatever.

3280. And you say that the railway company bring big loads and deal with large producers or merchants, who buy up as they do in Kent, where a man goes round and buys fruit on the trees, and collects it and brings it in large quantities and makes a contract with the railway company; is that the business that is generally carried on at this railway station?—That seems to me to be the entire business.

3281. It does not encourage, and in fact it does not provide for, the small agriculturist, such as you have in France, who has a little of everything, and who would bring that little of everything in his cart to the

market and distribute it among the people without anybody intervening between the producer and the consumer?—There is no provision whatever for it.

3282. I suppose you believe that if the local authority had power to make such a market it would be frequented by such people, because you have a great number of those people round about you who are growing in a small way, and who at present take their produce to other markets, and sell it retail because they have no accommodation in connexion with your town?—Quite so; that is what we should wish to encourage.

3283. Then I suppose, inasmuch as the monopoly at Spitalfields does nothing for you, does not bring a congregation of people to you, does not do any service, performs nothing, influences nothing, and provides nothing, you believe it to be a serious objection that the food of the people should be taxed by any person or persons who do nothing in return for the taxation, and it is your opinion that it must necessarily enhance the price of the food to the consumer?—Quite so.

3284. (*Mr. Charrington.*) Is not the situation of the railway market at Stratford tolerably convenient and central for the whole of West Ham, taking the large working population of Canning Town and Plaistow?—No, not at all; it is at the extreme end; it is within seven or eight minutes walk of London. The district extends something like 5 or 6 miles, and there is no direct communication. The Metropolitan Board have interrupted our way, and we have been unable to get direct, and that obliges us to go a long way round. We could go direct in half an hour, but it takes about an hour and a half to get round. The market station is on the very outside of the borough, entirely for Stratford alone. It does not serve Plaistow, Silvertown, and Canning Town in the slightest degree.

3285. It is not outside the whole parish of West Ham?—It is almost outside what we term the borough, as will be evident if you look at the map.

3286. It is in the parish?—It is in the parish, but about five minutes walk would take you out of the parish into London; and to the other end of the boundary it is an hour and a half's walk.

3287. (*Chairman.*) In fact it is a wholesale market situated in West Ham parish, but not in its management and in all its details suitable for the particular trade that West Ham wants to do?—That is exactly what we hold.

The witness withdrew.

Mr. MAURICE RUSSELL examined.

3288. (*Chairman.*) You are a fruit and potato salesman carrying on business at the Stratford Market and residing in the town of Stratford?—Yes.

3289. You are a tenant in the Stratford Market, and you have been so for about seven years, I understand, under the Great Eastern Railway Company?—Yes, that is so.

3290. We know where the market is situated, and we know the history of the market. Will you describe the market buildings?—The market buildings consist of two long rows of warehouses, twenty-one in all, connected by a roof, which covers the roadway. I have a plan of it here, if I might show it to the Commission (*producing a plan, and describing it*). The whole of that part which is coloured pink is the railway company's goods station. At the south end, the end farthest away from the entrance, is a small triangular piece of ground, upon which market gardeners can come and set their waggons or carts, and also upon which goods may be deposited for sale. I hold one of those warehouses. The rail-borne produce is brought to the backs of the warehouses and left there for us to unload. Any road-borne produce which we require comes up the centre roadway, and we unload in front.

3291. What representation do you wish to make to the Commission as regards the management of the market?—I say, as I have always said, that the market has been managed in the interests of the railway company; that is to say, they have always encouraged in every possible way the feeding of the market by goods brought a long distance over their line.

3292. It is not unnatural that they should do so, but the question arises whether that is for the public benefit?—That is it. It is quite natural; I do not think that railway managers holding a market could very well do otherwise; I do not think they would be doing justice to their shareholders if they did otherwise.

3293. What suggestion have you to make?—That they should not be allowed to hold markets.

3294. You would prohibit them from having a market?—I would.

3295. Some one must hold a market?—Yes, I think so. I am speaking for our particular line of business now; I consider that markets are very necessary.

3296. On the ground that it is of importance both to the seller and to the buyer that there should be as large a concentration of goods as is possible consistently with the convenience of people who come to buy?—

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That is so; a greengrocer or a fruiterer to whom we sell our produce, if we are in a market, can come or should be able to come to the market and have a choice of a large variety of goods, and also get all classes of goods that he requires.

3297. He might want to buy different classes of goods from different sellers, and it is a convenience to him to be able to get them close at hand?—Yes, of course; if there were not markets he might have to run about many miles to get those goods.

3298. Would it be consistent with your experience to say that there is any produce locally grown in the district which is artificially excluded from Stratford Market by any regulation that the railway company have made?—Yes, I do say so.

3299. In what respect?—In the first place the accommodation provided for them is such as no one can expect them to come and avail themselves of. This small triangular piece of ground, of which I have spoken, at the south end of the market, is the piece provided for these market gardeners, and it is open on two long sides to the rails. There have been one or two accidents there already since that has been opened, and if further proof were wanted of the inadequacy of the accommodation, I think it may be found in the fact that there are now only three market gardeners availing themselves of that accommodation. Considering the immense population that there is in West Ham and around West Ham, I am certain that if proper accommodation were provided there the Essex market gardeners would not take all their goods up to Covent Garden, Spitalfields, and the Borough Markets.

3300. Would this be a correct statement: that the railway company had formed the market for the convenience of their own customers, but that since it has been formed, and since West Ham has grown to the size that it has grown to, the existence of Stratford Market under present conditions is operating prejudicially to those in West Ham who would like to have a market for their own retail transactions?—I do not know whom you would refer to as those who would like to have a market for their own retail transactions.

3301. We have had representations from the municipal council of West Ham, who urge very strongly that they should be allowed to establish a market for the convenience of the residents in the district, who might go there and purchase their goods directly from the growers or middlemen?—That they do now.

3302. Where do they go?—To this market.

3303. Is it convenient for them?—Fairly so; what I should venture to put would be this: that the retail traders, by which I mean the florists, greengrocers, and fruiterers of the neighbourhood, now attend this market so far as they are able; but they do not find all or nearly all that they require here, and therefore they have to supplement their visits to this market by a journey to one of the London markets. What I imagine the representatives of the town council mean is this: that in consequence of this market being chiefly supplied with the goods which are grown at a distance from West Ham, instead of being supplied also, as the London markets are, from the market gardens of Essex (South Essex particularly, which, as you are probably aware, is a noted market-garden district), they cannot get all that they require in this market.

3304. But following up that, may it not be the case that your local producers go to Spitalfields and Covent Garden because they get a larger number of buyers to attend than if they came here; may it not arise as much from that cause as from any default upon the part of the railway company?—They tell me not.

3305. Who tell you not?—The market gardeners.

3306. And you consider that your knowledge of them and their views is such as to enable you to give that expression of opinion on their behalf with some confidence?—I do certainly. My father is one who has a market garden in South Essex, and I know most of the market gardeners there very well; and that is what several of them have told me, that they do not

come there because the accommodation is so bad, and also because the position allotted to them places them at a disadvantage as compared with those selling rail-borne goods. The market being in the form in which it is, with only one entrance, produce placed at this end of the market where the customers first enter stands a far better chance of being sold than produce at the south end of the market. That is one thing they very much complain of.

3307. You say that the railway company have shown a disposition to let warehouses to those who bring produce a longer distance over the line?—Yes. Not only this railway company, but other railway companies who have started similar undertakings are just as great offenders in this respect. If a person goes to them, and applies for a warehouse, the first question that they ask him is, where he is going to get his produce from, and how much he can get; and unless he is going to get his produce from a district that is going to pay them a large profit for carrying, and unless they think he is going to do a considerable trade in that way, they refuse him a warehouse.

3308. You would make the same remark with regard to that as I made just now, that while it is not unnatural, it is not for the public advantage?—Yes, it is not for the public advantage, because those goods which are brought a long distance must necessarily on an average be dearer than those which are grown in the neighbourhood. I think you will see clearly that green vegetables which can be carted into the market, and sold by the market gardeners themselves, must be cheaper on an average than goods grown, say, in Yorkshire or Lancashire, paying a freight of from 15s. to 17s. a ton to the railway company, and also a charge to the commission salesman for selling them.

3309. As I understand you, the general policy which you are here to advocate is, that statutory market rights should not be given to railway companies and private speculators, but should be in the hands of those who represent the public?—Yes; but I also think that whatever public bodies are made the market authorities should be prevented by law from trading in what may become the very lucrative business of market holders and from devoting the large profits derived from this source to other purposes; as several are doing at the present time. I consider that the charges now levied in some of the markets conducted by corporations, although not unfair as between classes of produce as in the case of Stratford Market, are exorbitant, and tend greatly to increase the price of vegetables and fruit.

3310. There is a natural tendency and desire to save the rates, which ought not to be permitted; is that your view?—Yes; that is the natural tendency, and that is what they do. They are not content to supply the market at cost price to the public, but they want to make a profit out of it.

3311. Though you do not think them so bad as some private speculators and railway companies, you would prefer that there should be as small a charge as possible, simply sufficient to recoup the expense of the market; that is the policy which you are here to advocate?—Yes.

3312. At the end of your statement I see that with regard to the market accommodation of London generally you are of opinion that there would be no advantage in greatly increasing the number of vegetable markets?—I put that in because there seemed to be some people, not people connected with the trade, either buyers or sellers, but persons who are not acquainted with the trade, who think that we cannot have too many markets, and that if there were a market in every street it would be an advantage. I am not one of those.

3313. Are you in a wholesale way of business?—Yes.

3314. Do you mean that recommendation to apply also to those who are more in a retail trade than yourself?—The retail trade carried on in markets is decreasing very rapidly in London, and may, I think, be dismissed from consideration.

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3315. To what do you attribute that?—To the competition of shopkeepers; so that I think we need scarcely consider the retail trade in markets. It is a trade which is dying out so far as vegetable and fruit markets are concerned. The markets are now almost entirely occupied by growers, or salesmen acting for growers, selling the produce in a wholesale way to the retail dealers.

3316. Therefore, for their purposes, a few markets well placed are better than a larger number of markets, which would lead to an undue diffusion of the goods?—Yes, that is what I mean. I am sure that is a general opinion, because I have asked within the last twelve months a great many greengrocers, and they have all answered me in the same way that that is their opinion.

3317. (*Sir T. Martineau.*) Have you heard complaints made by any other salesmen in the market as to the railway company having the control over it?—Yes. Last year when they went to try and get Parliamentary powers, the majority of the salesmen appeared as witnesses against their obtaining those powers. They were not all called, but a considerable majority were against the powers being granted.

3318. Then if it were stated that you are the only salesman who complains of the present state of things, that would not be true?—No, it is perfectly untrue. No one could have made such a statement if he knew anything about it. There is not a shadow of foundation for it. I could bring up more than half the salesmen from Stratford Market if you wanted to see them to deny the truth of such a statement.

3319. And they are all of that opinion?—Yes. In fact I think the feeling now is stronger against the company than when they went for their Bill. At the time when they went for their Bill there were a few whom they induced to go upon their side by promises and threats; but now those salesmen, with about two exceptions, are as much against them as I am.

3320. And you believe that the same feeling prevails amongst the market gardeners?—Amongst the market gardeners round London, yes, because they would like a market established in West Ham into which they could come upon equal terms with those who bring the produce from farther afield. I have heard them complain of the way that this market is conducted, so as practically to prevent them from feeding the population which is next door to them.

3321. With regard to this space that is open for the cart-borne produce, do we correctly understand that it is now not fully occupied?—It is not fully occupied. At the present time there are only three attending there, even with any degree of regularity at all.

3322. If the market is useful, and if there are a number of people coming there to buy, why should not the sellers of market produce take advantage of the opportunity that there is for them here?—Because, as I pointed out, there is not such an opportunity or such accommodation as they can avail themselves of with profit to themselves. Supposing that a market gardener from East Ham brings a load of savoys into the market on a market morning, it is placed at the south end; that is the end furthest from the entrance. If there is also a truck load of savoys from Lancashire for the market, it is placed for one of those salesmen more towards the north end nearer the entrance; because the produce of Lancashire and Yorkshire must naturally come through us as salesmen. A man from Lancashire would not come to Stratford to sell his goods, but a man from East Ham would if he could; so that, although at first sight on paper there is nothing unfair in either the tolls or the arrangements of the market, practically there is this unfair treatment of it, because the produce from a long distance comes through a salesman's hands, whereas the produce grown nearer home is brought into the market and sold by the farmer himself or the man that he sends up with the cart.

3323. (*Chairman.*) It comes to this: that unless anyone is determined to go to the local stances, and

knows where to go, he is almost certain, or is very likely, to be intercepted by some of the rail-borne produce?—Yes, that is it. I might add that the railway company say that they are going to remedy all that by a road out at the other end of the market. That I was told when I first took the warehouse over seven years ago, and I have been fed with that spoon ever since. I believe it now rather less than I did when I was first told it; for this reason, that what was very improbable then is now impossible, because the large amount of traffic brought into this station must come in here (*pointing to the plan*) off the main line, and there are now more shunting roads than are shown on this plan, and the amount of shunting going on makes the public use of any road made across them an impossibility.

3324. (*Sir T. Martineau.*) Have you seen the plans for the proposed extension by the railway company of Stratford Market?—Yes.

3325. Do you think that as so altered it would meet the requirements of the neighbourhood?—No, I do not think it would. First of all, as I have already said, the whole thing hinges upon this physical impossibility as to the road.

3326. Would it be large enough?—It would be large enough for the rail-borne produce, but there would still be very scanty accommodation for the road-borne produce.

3327. You said that the railway companies were in the habit of asking in these cases from a person who offers himself as a tenant, from whence the produce will come, and rejecting him if he will not be a profitable tenant so far as the railway circumstances are concerned; do you speak in that respect from actual experience of what is happening in Stratford Market?—Yes.

3328. And of the Great Eastern Railway Company?—Yes. The question was put to me, and I have heard more than a score of salesmen say that the same question was put to them.

3329. But have you known of any cases where the applicant has been rejected because his produce would not come far enough along the railway?—They do not tell him the reason why they reject him. They ask these questions, and only those who answer them satisfactorily are accepted.

3330. You know at all events that some are rejected without reason being given?—Yes. I also know that after they have been taken in and accepted as tenants, if they do not bring sufficient tonnage over the railway company's lines, it matters not what other business they are doing, they are turned out again.

*3331. (*Mr. Charrington.*) You are bound by your agreement, are you not, to take the half of your produce by the railway?—Not under the agreement; we had a notice to that effect sent us by the goods manager.

3332. You alluded, a little time ago, to corporate bodies controlling a market and making a profit by it, and devoting that profit to the relief of the rates; do you know of any instances of that being done?—Yes, the Manchester corporation does it.

3333. The London corporation does not?—I do not know.

3334. We have had it in evidence that they do not?—I do not think that they do so far as the vegetable market is concerned, because there is not a large trade done in their vegetable market.

3335. Do you know any other places but Manchester where they do it?—There is another market in London which is managed not by a corporation but by a public body of trustees, that is a Borough

* The witness subsequently forwarded to the secretary a letter from the goods manager of the Great Eastern Railway to each of the salesmen in the market, in which the following was mentioned as one of the bases on which tenancies in the market were to be held, viz.:—"That whilst the directors will place no limit upon the quantity of produce brought in by road, they will expect that at least one half of the whole quantity going through the warehouses shall be rail-borne."

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Market; and they hand over in relief of the rates a matter of 5,000*l.* or 6,000*l.* every year.

3336. Do you consider the locality of the railway market a suitable one for the place; is it sufficiently central?—That of course depends upon whether you are going to build a market for West Ham or whether you are going to build a market for another district.

3337. Looking at Canning Town, Plaistow, and all those places, which are very populous, is the situation of the market a very good one?—No, a very bad one. The customers at the south end of the borough of West Ham can now go to Spitalfields as quickly as they can come to Stratford Market. It is just about the same distance for them to travel to Spitalfields as to Stratford Market. It is certainly not a good site for a market for the borough of West Ham.

3338. (*Mr. Harwood.*) You say that no profit should be made by any authority out of the market, but that they should establish a market, and that it should be used by the persons who want to use it; and then you say that there should be a sinking fund, and by-and-by of course the market will not necessarily have to produce anything but its working expenses. When that arises then I suppose that stallage and tollage should only be taken to the extent to which it would be necessary to pay all the expenses, and so not entail a tax upon the ratepayers; is that your idea?—Yes.

3339. Why should not the public funds then be used to build shops, and drapers and grocers and other people be allowed to occupy those shops, in the interests of the public, so that they may get food and clothing, those shops being let in the first instance at a sufficient rent to create a sinking fund, and to pay all the necessary expenses; and then as the original expenditure is paid off, being let of course at a rent only sufficient to pay the expenses of management and agency and all that sort of thing? Why should it be done exceptionally in regard to markets and not in regard to anything else? Why should you, for instance, as a salesman for greengroceries, fruit, and vegetables have accommodation to carry on your business provided and guaranteed out of the public rates, and then when the property is redeemed, why should you go and occupy that property at a very low rent to your advantage as a salesman, a grocer or a draper being excluded from the same privilege of having accommodation to carry on his industry provided out of the rates?—First of all I cannot agree with you that a market where the rents and tolls were low would be any benefit to the salesmen. I am inclined to think that the best markets for a salesman are the markets in which the charges are the heaviest, because the expenses deter others from competing with him. I think that a cheap market would certainly not be the best market for a salesman to go into. The reason why I advocate the markets being conducted as cheaply as possible is in the public interest. A market is a place of public resort, and any toll put upon the produce sold there such as is now being put upon this produce in London and in other large towns, appears to me to be in the nature of a tax upon the food of the people, for which they pay and not the salesmen. I do not think for one moment that I ultimately pay these heavy tolls and rents; in fact I am quite sure that I do not. I have taken out particulars of what I paid in the Borough Market in the year 1884, when I was a tenant there, and I was not doing the largest business in the market, although I was doing a fair business. I paid to the Borough Market trustees,

in five weeks, 10*l.* 7*s.* 6*d.* for rent, 35*l.* 7*s.* 8*d.* for tolls, and 14*l.* 19*s.* 8*d.* for portorage, making a total of 60*l.* 14*s.* 10*d.* in five weeks in the summer time. I am quite sure that that 60*l.* did not come out of my profits.

3339*a.* Then do you assert, as the result of your experience, that the maximum charge for toll and stallage necessarily increases the price of the food of the people?—I do, and in a very direct way, because it deters the goods from coming there. When I have some goods sent to me I have to deduct those charges from the account sales which I send home; and the more I have to deduct the less there is for the grower, and the less there is for the grower the less he is induced to send these goods, and the less he is induced to grow.

3340. (*Mr. Little.*) You said, did you not, that the majority of the salesmen in this market objected to the market clauses of the Bill which the Great Eastern Company brought forward?—Yes.

3341. Were their objections to that Bill objections as to principle, or objections as to the accommodation provided?—Objections to the principle. They were never consulted, so far as I know, as to the accommodation provided.

3342. You saw the plans; in your opinion was the accommodation that was to be provided under that Bill sufficient?—No.

3343. There was not sufficient accommodation for road-borne produce?—No.

3344. Do I correctly understand that by your agreements with the railway company you are restricted as to the sale of produce grown in the neighbourhood; is there any clause in the agreement interfering with your sale of rail-borne or road-borne produce?—No.

3345. Is there a clause in the agreement between you and the company compelling you to give a preference to the sale of rail-borne produce?—No, there is a clause in the agreement compelling us to have goods sent by the Great Eastern route to the market in preference to any other route.

3346. In preference to any other railway route, you mean?—Certainly that clause does not apply to the railway as against the road; but if I have some goods at Hertford, or anywhere where there are two lines, I must have them by the Great Eastern route. The only reference at the present time to the road and rail borne traffic is a notice which we received just before Christmas from the goods manager, saying that he expected all of us to have at least half of our produce by rail.

3347. Have you that notice?—I have not that notice; but it was sent to all the salesmen. But of course what makes us go into the rail-borne produce is knowing from experience that if we do not have sufficient to please them we shall be turned out.

3348. (*Mr. Charrington.*) How long is your tenancy?—It is terminable at a month's notice.

3349. (*Chairman.*) Will you send to the secretary a copy of the notice to which you have referred?—I will.

3350. (*Mr. Little.*) Is your market frequented by costermongers at all?—No. The reason is that the goods there are not cheap enough for them.

3351. They are sold wholesale principally?—They are.

3352. Just as they are in other markets?—Yes.

The witness withdrew.

Adjourned to Thursday next at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

FOURTEENTH DAY.

Thursday, 15th March 1888.

PRESENT :

THE RIGHT HON. THE LORD BALFOUR OF BURLEIGH IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART., M.P.
MR. CHARLES I. ELTON, Q.C., M.P.
MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. WILLIAM C. LITTLE.
MR. JUSTIN MCCARTHY, M.P.
MR. JAMES ALLANSON PICTON, M.P.
MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. JOSIAH HALE, Mr. RICHARD HUNT, and Mr. GEORGE A. HOLDITCH examined.

*Mr. J. Hale,
Mr. R. Hunt,
and Mr. G. A.
Holditch.*

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3353. (*Chairman, to Mr. Hale.*) You are the Chairman of the Trustees of the Borough Market?—I am.

3354. (*To Mr. Hunt.*) You are one of the trustees of the market?—I am.

3355. (*To Mr. Holditch.*) And you are clerk to the trustees?—I am.

3356. (*To Mr. Hale.*) That is a market which is regulated by statutory powers, is it not?—That is so.

3357. And you have handed in the Acts relating to it?—Yes.

3358. You have sent in answers to the questions which were circulated to you by the Commission; is there anything in regard to any of the points dealt with in those questions as to which you wish to add anything to your answers?—I think not, so far as I recollect. The answers were carefully considered at the time, and I do not know that we have anything to add.

3359. I notice, that in answer to Q. 11, which deals with the revenue, you give the amount of your tolls and portorage under one heading, and the rents under the other, but you return nothing under the heading of stallages or other receipts; will you explain that?—The stallages would come under the heading of rents.

3360. You do not divide them in your accounts?—No.

3361. (*To Mr. Hunt.*) All your revenue is covered under the two headings of tolls and rents?—And portrages.

3362. (*To Mr. Hale.*) And your revenue amounts to 11,438*l.*, does it not?—That is the gross amount.

3363. But your expenses, apparently, are not more than 4,171*l.*?—That is so.

3364. So that you have a net surplus of 7,000*l.* a year in round figures?—In round figures.

3365. What becomes of that money?—That is paid over to the Vestry, who apply it to the reduction of the poor-rate.

3366. How much does one penny in the pound on the rental of the district to which this money is applied amount to?—A penny in the pound produces now about 800*l.* a year.

3367. That is more than 7*d.* in the pound?—Yes, that is so.

3368. Is not that a very large profit to make from the market?—We hope that that is done by not an undue economy, but by a careful economy in the administration of the market.

3369. We have had complaints that the accommodation in the market was not sufficient for the requirements; is there any ground for those com-

plaints?—That is a question that must be considered, there is no doubt. The accommodation is somewhat limited, but of course it is a very large question, and to increase that accommodation we should have to apply to Parliament for powers.

3370. Have you never made such an application?—We made an application in 1875.

3371. What was the result of it?—That the preamble was not proved.

3372. Was it a private Bill that you applied for?—It was.

3373. (*To Mr. Holditch.*) Why has no further application been made?—We did attempt to get an Act of Parliament, but we were unsuccessful, and no attempt has been made since.

3374. Why?—I cannot answer that question. I may say that the trustees are fully alive to the necessity of improving the approaches, and steps have been taken for that purpose.

3375. What steps have been taken?—We have made an application to the Humphrey estate to allow us to pass through Montague Close on the market days.

3376. Is your market surrounded by the property of one proprietor, or of many?—Of many.

3377. Is the land built upon?—Yes, mostly. (*Mr. Hale.*) Entirely, I think. (*Mr. Holditch.*) There is one little piece that is not built upon.

3378. I suppose I am right in assuming that you have no power to acquire ground, but that it must be done by bargain?—We took the opinion, about two years since, of Sir Richard Webster, and his opinion was that we had no power.

3379. Then the only way in which you can get power is by application to Parliament?—That is so.

3380. And that you have not made?—We attempted it on one occasion, but we have not renewed it.

3381. (*Mr. Childers.*) You claim, in answer to question 16, to have market rights enforceable at a distance of 1,000 yards; what do you mean by that?—The clause in the Act says that no one shall carry on a market within 1,000 yards, and if it were carried on we should go for the penalty. (*Mr. Hunt.*) The Act says that no one shall sell his goods except in his or her own shop within 1,000 yards.

3382. (*To Mr. Holditch.*) Have you enforced that in any case?—In no instance.

3383. Has any attempt ever been made to establish a market within 1,000 yards?—Never.

3384. I should like to ask something about your tolls and rates. I notice that you charge a toll of 1*s.* 6*d.* per ton on potatoes; how long have you been charging that; from the first?—I cannot say that we have been charging it from the first, but for some

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years we have been charging 1s. 6d. We charge 1s. and 6d. portorage on potatoes.

3385. Have you ever compared your charges with the charges at other markets?—No.

3386. You have, as you say, a monopoly of 1,000 yards in all directions from your market; of course, that excludes practically, except in shops, any sale of fruit and vegetables. Is not 1s. 6d. per ton a very large charge?—I think not.

3387. Do you know what the charge is at the other markets?—I do not. I may say that we do a lot of work for the 1s. 6d. We could charge 1s. 6d. and do no work at all; but we unload goods and put them on a man's stand for 6d., and we charge him 1s. for toll.

3388. Do you know what the rate is, for instance, in the Stratford Market, to the north of the river?—I do not.

3389. Do you know what it is at Covent Garden?—I do not.

3390. If I told you that your charge was a good deal more than their's, should you be surprised?—Not at all.

3391. That is to say, you use your monopoly to charge a much higher rate than is charged at other markets?—I think we do not exercise our powers sufficiently. We only charge 1s. toll and 6d. for portorage; we could charge 1s. 6d., and do nothing for it at all.

3392. When you say that you do not exercise your powers sufficiently, do you mean that you would wish to charge a higher rate?—No, I would not say that.

3393. Would you explain what you mean by portorage?—We do the whole of the work in the market by our own porters. First of all a cart arrives, the beadle fetches some porters, and they unload the goods and take them on to the stand in the market. We stack them there in whatever way the man wants, and we charge him 6d. per ton for doing that.

3394. Do you consider that a charge which is much lower than the man himself could get his work done for?—I should think it is a fair charge.

3395. Is the portorage compulsory?—It is compulsory.

3396. You have a monopoly, therefore, of the right of carrying in the market entirely?—Yes, under our byelaws.

3397. I notice in the evidence that we have before us, as to Stratford Market, for instance, and as to Bishopsgate Market, that the toll is 3d. per ton on potatoes, there being no monopoly as to portorage there, whereas in your case it is 1s., leaving out the portorage; that is a very serious difference, is it not?—It is a very serious difference. With regard to new potatoes we lose money on the 6d. by every ton that comes into the market when potatoes are at a very big price.

3398. Is there a different rate for new potatoes and ordinary potatoes?—Not at all. Each case has to be weighed, and of course that makes a lot of labour. When new potatoes are 14l. or 15l. per ton, greater care is exercised than with old potatoes at a very much less price.

3399. I see that for peas and beans, and vegetables of that kind, your rate is the same rate as the Covent Garden rate, 1d. per sack; but apparently your fruit rate is very much in excess, so far as I can judge, of the general rate north of the Thames?—We have no complaints.

3400. With regard to the profit, you clear apparently about 7,300l. a year?—Between 7,000l. and 8,000l.

3401. How did that come to be the case under the Act of Parliament; did the Act of Parliament contemplate your making a large profit for the benefit of the parish?—The Act of Parliament contemplated two things; it contemplated a loss, and it contemplated a profit. It contemplated a loss when it gave us power to make a rate. You will see at page 17,

section 16, of the 28 George II. "deficiencies to be made good by a rate."

3402. Where is the section as to the profit?—If you turn to page 34 of the Act of George IV., there is an enactment directing the application of the profits of the market.

3403. That is practically the only section; it is all preamble except those last two paragraphs?—Yes.

3404. Under that section the profit is to be paid in diminution of the rates of the parish?—That is so.

3405. Is there in the Act of 30 George II. any reference to a surplus?—Not that I know of.

3406. Then, in fact, the idea of there being a surplus only arose in 1822, or thereabouts?—That I cannot say.

3407. If there was no legal provision for it in the Act of 1754, or in the Act of 1756, and the legal provision first comes in in the Act of 1822, there must have been 50 or 60 years in which there was no profit?—I think the money was invested from time to time.

3408. Was it capitalised?—Yes, but how much I cannot tell you.

3409. And probably that capitalisation is the sum of 13,000l. Reduced 4 per cents, and so on, which are alluded to in the last section?—I have no knowledge on the subject.

3410. Have you no records of any kind of the circumstances under which this large profit began to be made?—No.

3411. When you went to Parliament in 1875 was any reference made to the fact that you were paying very well?—It was.

3412. Was that at all a subject of discussion before the committee?—Certainly; there was a discussion, but it was a discussion in this way, that the growers had certain parts of the market for which they pay little or nothing, and it was the idea of the trustees to put them all on the same footing. There was a great deal of jealousy between the growers and the salesmen, and the trustees thought they would put them on the same basis.

3413. But the effect of putting them on the same basis, I suppose, would be to increase the revenue of the market?—Naturally so.

3414. Was any remark made in the committee upon the great surplus of the market?—Not particularly, I should think.

3415. You have no recollection of it?—I was not the clerk at the time. (*Mr. Hunt.*) In the year 1875 it was not half 7,000l.; it was about 3,000l. It has grown lately.

3416. (*To Mr. Holditch.*) But that would not quite answer my question, which was whether the large balance, whether 3,000l. or 7,000l., was the subject of discussion in the committee?—Questions were asked on it.

3417. Was that, in any respect, the reason why the Bill was rejected?—No, I cannot say that.

3418. There was no reason assigned by the committee for deciding that the preamble was not proved?—I do not think so.

3419. In your opinion, in the case of a market costing 4,000l. a year to which I suppose something must be added on account of the interest on the 8,000l. capital expenditure, is it a reasonable thing that the receipts of the markets should be nearly three times its expenditure, and that that should go to a totally different subject to relieve the ratepayers?—Yes, I think so, certainly.

3420. You think that that is in accordance with the spirit of modern legislation upon the subject of the rates upon property for the poor's rate?—I should think so, certainly.

3421. You say that it relieves the rates by about 8d. in the £; that is to say, it makes a present of 8d. in the £ to a number of householders who may have nothing to do with the market whatever?—Quite so; it is a parish property.

3422. How is your rate struck; is your parish a single parish?—It is in union with St. Saviour's, and comprises the parishes of St. Saviour, Christchurch, St. George the Martyr, and St. Mary, Newington.

3423. Who gets the benefit, you and St. Saviour's jointly?—No, the parish of St. Saviour alone. Christchurch gets no benefit, nor St. Mary, Newington, nor St. George the Martyr.

3424. You get solely for your own purposes this benefit. Under the union system do you imagine that is reasonable in view of modern legislation?—I should say so. It is a piece of property that came to us many years ago, and we are entitled to the benefit of it.

3425. You look upon the right to hold a market as a right which may be turned into money for the benefit of the householders?—Certainly, under this Act of Parliament.

3426. (*Mr. Little.*) How are the trustees appointed for this market?—There are 25 trustees, and they are appointed by the vestry.

3427. Did the Act of Parliament limit the tolls to be taken; was there any schedule attached to the Act?—The schedule is at the end of the Act.

3428. And your tolls are not in excess of the tolls authorised by the Act?—No, they are not; in fact, I may say that some of them are under.

3429. Will you point out the section which authorises you to charge for portage?—There is no such section.

3430. I understood that under the Act you had the power to compel those who came to your market to use your porters?—That is under our byelaws.

3431. (*Chairman.*) What section of the Act gives you power to make byelaws?—The 22nd section of the 10th of George IV. "And be it further enacted, that, for the better regulation of the said market, it shall be lawful for the said churchwardens, overseers, and inhabitants, and they are hereby authorised from time to time, to make, constitute, provide and ordain rules, orders, and byelaws for the regulating, ordering, and governing the said market and the persons coming and resorting thereto, in all matters which shall concern or relate to the said market, and for the arrangement and distribution, placing and ordering of the wagons and carts bringing or taking away goods to or from the said market, and of the persons driving and having the use of such wagons and carts, and of the porters, basket women, and other persons working or plying for hire in the said market, and from time to time to repeal, alter, add to, or amend such rules, orders, and byelaws, or any of them, and to ascertain and fix, and therein specify what pecuniary or other penalties and forfeitures shall be incurred by any person breaking such rules, orders, and byelaws, or any of them, provided that no such pecuniary penalty or forfeiture shall exceed the sum of 40s. for one offence" and so on.

3432. There is no power to charge for porters there?—We charge portage under the byelaws.

3433. (*Mr. Childers.*) But there is no power, apparently, to appoint porters. It says, "the porters, basket women, and other persons plying for hire." The porters are not to be appointed by you any more than the basket women are appointed by you?—We appoint our own porters.

3434. (*Mr. Little.*) Under what section?—I cannot give any other answer than that.

3435. Can you separate the amount received for portage from the amount received for tolls?—Yes, about 5,000*l.* is the amount of the tolls for the year, and the portage amounts to between 1,500*l.* and 1,600*l.* a year.

3436. What do your porters cost you?—About 1,000*l.* a year.

3437. Then there is a profit on the portage of about 500*l.* a year?—Yes.

3438. (*Sir James Corry.*) Who were the parties who opposed you when you went to Parliament in 1875?—The growers opposed us, and the stand-

holders; that is to say, the salesman in the market helped us.

3439. Then there was a conflict of interest between the one and the other?—That is so.

3440. How does the matter stand now; are the same opinions held by those different parties now?—The matter has dropped, and we hear nothing of it.

3441. But, I presume, that is one of the reasons why the trustees have not attempted to go to Parliament again?—That I cannot say.

3442. You think that the profit that is made upon this market is legitimately used to reduce the poor rates?—No doubt about it.

3443. What is the area of the market?—I should think about two acres.

3444. Is it covered in?—It is partly covered in and partly open.

3445. Is there any opportunity of increasing the area of the market?—The area has been increased from time to time, but not lately.

3446. Is there a greater demand than you have accommodation for?—We have applications for stands, but we do not get very many applications.

3447. Is there any complaint about the egress from and ingress into the market?—There has been, and there is now, and we are trying to amend it.

3448. Can you amend it without going to Parliament?—I think I explained that we did try to get through Montague Close, and we offered a sum of 200*l.* a year for the right to go through.

3449. But not successfully?—Not successfully. The conditions they imposed were so onerous that we could not entertain them.

3450. And so long as the trustees are able to make 7,000*l.* a year for the benefit of the rates they are content to allow the market to remain as it is?—No, I think not.

3451. (*Mr. Picton, to Mr. Hunt.*) Can you tell us what is the population of the parish of St. Saviour's?—About 15,000 at the present time.

3452. (*To Mr. Holditch.*) Is the market used mainly by the inhabitants of St. Saviour's, or equally by the inhabitants of other surrounding parishes?—By the inhabitants of other surrounding parishes quite as much. (*Mr. Hunt.*) By South London generally.

3453. (*To Mr. Holditch.*) You spoke, I think, of 13,000*l.* invested funds that had accumulated down to 1822?—That was the sum.

3454. Is there interest derived from that investment?—No, that has been spent long ago.

3455. (*To Mr. Hale.*) What has it been spent upon?—The enlargement of the market.

3456. (*To Mr. Holditch.*) Has the enlargement of the market taken the whole of that?—Yes, it is all spent. There is nothing from consols now, and has not been for years.

3457. Is it the case that the balance of profit has doubled since 1875?—Yes, I should say that the balance of profit had more than doubled.

3458. Does it continue to increase now?—It is falling off a little now.

3459. (*To Mr. Hunt.*) How do you account for its falling off?—By the general depression. Trade is bad.

3460. (*Mr. Charrington, to Mr. Holditch.*) Are you aware how the original sum of 8,000*l.* and the sums that have been subsequently spent upon the market were raised; were they raised upon the rates?—No, I think there has been a mixing up of capital and revenue from time to time, and when the Charing Cross Railway was brought there, there were certain agreements entered into upon which no money value was placed.

3461. But you do not know how the original sum of 8,000*l.* for the institution of the market was raised?—By annuities.

3462. Chargeable upon the rates, I suppose?—Chargeable upon the rates.

*Mr. J. Hale,
Mr. R. Hunt,
and Mr. G. A.
Holditch.*

15 Mar. 1885

Mr. J. Hale,
Mr. R. Hunt,
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Holditch.

15 Mar. 1888.

3463. (*Chairman.*) Have your charges remained the same, or have you increased them of recent years?—They have remained the same.

3464. Since when?—During the eight or nine years that I have had to do with them they have been the same.

3465. The plan shows, does it not, that on the north you are shut in by St Saviour's Church, and on the west and south by streets?—Yes.

3466. And that you can only extend towards the east, if you extend at all?—We can extend eastward. This is the Borough High Street (*describing the plan*).

The witnesses withdrew.

Mr. JAMES OSMOND examined.

Mr.
J. Osmond.

3470. (*Chairman.*) We understand that you are a salesman at the Borough Fruit and Vegetable Market?—I am.

3471. And you wish to give the Commission some information as to the tolls which you have paid during the last three years?—Yes, in the year 1885 we paid tolls to the amount of 155*l.*; and portorage, that is another market due, 62*l.*, making a total of 217*l.* In the year 1886 we paid 150*l.* toll, and 63*l.* portorage, making a total of 221*l.* In 1887 we paid 142*l.* toll, and 61*l.* portorage, making a total of 203*l.*

3472. What is the area of space that you occupy?—About 1,070 square feet.

3473. Is that sufficient for your business?—Yes, quite.

3474. Have you any opinion to express as regards the market tolls?—Yes. Of course, with the majority of other salesmen, we should like to get them off, or reduced. You can quite understand that this is a great drawback on us, because we sell on commission, and we charge so much per basket commission, and this is taken out of the commission that we charge the grower for selling the fruit.

3475. Have you ever compared the Borough Market tolls with the tolls in other markets?—No, I have not thought of that.

3476. Have you any opinion to express on behalf of yourself or other salesmen, in regard either to the tolls or to the portorage dues?—No, only what I tell you, that we consider they are very excessive, and we should like to get them off. As I have already stated, it is a great drawback to us to have all these expenses.

3477. Have you any reason for considering them excessive?—The only reason why we consider them excessive is, because this amount every year out of our pockets means a great drawback to our business. For instance, a salesman may stay there all his life and work hard, and at the end of his life he may find himself very little better off. Then we pay over 100*l.* for the rent of ground.

3478. If there is a vacant stall in the market, is there much competition for it?—I must confess that there are not very often stalls to be let.

3479. And then is there a competition for them?—No; there might be one or two applications for a stall, but they are scarcely ever to be let for long; in fact they are scarcely ever to be let. If a man knew another man was going away, he might try to get his place.

3480. If the rents were reduced, you would obviously have a larger competition in your business?—No doubt. We are commission salesmen; we sell on commission the produce of the country. These items, which you see, amounting to considerably over 200*l.* a year on an average, have to be taken off our commission. But there are plenty of people in the market that do not sell on commission, but buy the things at a sale, so that they have an advantage over us. For instance, there are about 20 shops in the market where they do not pay toll at all, or portorage.

3467. What is this space to the south-west of the present market, behind your office?—Railway. These are the piers of the railway. That is Adelaide Place (*pointing to the plan*).

3468. (*Mr. Pictou.*) You say, in answer to Question 8, that large sums are frequently paid for casual labour; what labour is that?—Our own porters are not sufficient to do the work, and they have people who work for them through the night, and they are paid in the morning.

3469. Then the labour is altogether portorage and nothing else?—Nothing else.

3481. How is that?—I cannot tell you; that is the rule in the Act of Parliament, according to what I can see of it. If these people were a considerable distance from us we should not notice it so much. But the nearest stand or shop to my place of business (they are shops really) is about 50 yards off, and they have the things in those shops that they do not pay either toll or portorage upon.

3482. The trustees of the market, who have been here this morning, have told us that an application was made to Parliament in 1875, and that one of the objects which they had in view in making that application was to place matters on an equality between the two classes whom you have just mentioned; do you recollect anything about that application to Parliament, or why it was refused?—I cannot say that I recollect anything of it; but what I state to you as regards the stallage and portorage in different parts of the market, are facts.

3483. You do not recollect the circumstances under which the Bill of 1875 was rejected?—No, I cannot say that I do.

3484. Is there much agitation or combination amongst those doing business in the market to bring any pressure upon the trustees to reduce the rents?—Of course, as I have already stated, nearly every salesman in the market—nineteen out of twenty—in fact, I might say, the whole lot of us, would like to see this toll taken off. It stands to reason that the 200*l.* a year that we pay in the shape of tolls and portorage, keeps us really poor, because that is a dead loss to us out of the money we earn on selling the things on commission.

3485. Your point, as I understand, is that the selling on commission is exposed to much larger tolls than other sales?—No, there is no difference in them; but what I want to point out is the difference between those who have to pay tolls and portorage and those who have not. Supposing that I sell 150 tons of potatoes a week, we charge 7*s.* 6*d.* for selling them; out of that 7*s.* 6*d.* there is a charge of 1*s.* 6*d.* a ton for toll and portorage at the market. That leaves us 6*s.* a ton. We find the sacks, and send them away, but that is a small matter. Those people who do not pay these tolls and portorage are getting 1*s.* 6*d.* a ton more profit than we are, and they can afford to sell for 1*s.* 6*d.* a ton less than we can.

3486. What is the difference between their position and yours?—Their position is really better than ours.

3487. Are they growers?—They are commission salesmen, the same as we are.

3488. Do they not pay a larger rent for their houses?—No doubt they do pay a larger rent, but whether they do pay a larger rent in proportion to what we pay remains to be seen.

3489. Have you no means of finding that out?—Yes, I might find it out; I could find it out, I suppose.

3490. Have you never thought it worth while to find that out?—No, I never gave it a thought. We are under the impression that they do pay more rent.

Supposing that a man has a shop in the market, and that he pays 200*l.* a year rent, which would be about a proper sum, I should think, if he has not to pay market dues, he is better off than we are. Although I am a young man, I have been in the market all my life, and that is my experience. If you take the tolls and portorage at 200*l.* a year on the average, and then add on another 100*l.* a year for rent, that brings it up to 300*l.* a year.

3491. Then, as I understand, your wish is that those who are doing business side by side should be put so far as is possible in the nature of things upon an equality?—Yes, I believe that is the wish of everybody; I know it is my wish. In the market we are all in one position. For instance, with regard to these other people selling things cheaper than we can, a grower came to me a few months ago, and said to me: “Mr. Osmond, I should like to send you more potatoes than I do, but I cannot, because you charge me 7*s.* 6*d.* a ton commission, and I can get them sold in other markets, for instance, the Stratford Market, the Great Eastern Market, for 6*s.* a ton.”

3492. You have had it brought under your notice by the growers?—Yes, I have.

3493. Is there any other point that you wish to bring before the Commission?—There is one little subject that I should like to bring before your notice. The growers, according to the Act of Parliament, can bring a large two-horse waggon of vegetables into the market for 1*s.* 6*d.*; but on this load they can bring 100 bags of green stuff upon which our market dues are 12*s.* 6*d.* Those growers, or I should say so-called growers, because I assure you half of them are not growers, bring their produce into the market for 1*s.* 6*d.*, and we have to pay 12*s.* 6*d.* for the same amount of goods, simply because we are commission salesmen. Half of these so-called growers do not hold one acre of ground.

3494. Why is no means taken to check that?—That I cannot say.

3495. Have you, as a commission salesman, feeling yourself injured by this state of things, not taken any steps to have it remedied?—I do not see how we can.

3496. You have never made a representation on the subject?—We have not. We have talked about it, but it would not do for one person individually to talk about it. I must confess that as a body of salesmen we do not hold together as we ought to do. For instance, I call a meeting, and they say: “We will go to the committee and tell them the facts”; but they do not go.

3497. Perhaps, if they had done so, you would not have had the necessity of making the complaint here?—Perhaps so; I am very much pleased with that suggestion.

3498. Are the accounts of the market published?—Yes.

3499. Are they open to inspection?—Yes, every half year.

3500. (*Mr. Childers.*) Do you consider the tolls high?—We do consider them rather high.

3501. Do you know anything about the tolls elsewhere, in other markets?—I do not know much about them, because we look after our own business, and do not study other people.

3502. Do you think that the market ought to be enlarged in order to afford the necessary convenience?—I might suggest that the approaches to the market are in a most horrible condition. I may mention that we are not only commission salesmen, but we are growers also; we have a fruit farm. On some mornings I go out to business at 3 o'clock in the morning, and I have 10 or 12 waggon loads of fruit outside of my place, and we have a hard job to get it unloaded, because the road is blocked up so.

3503. The access to the market is not convenient?—No.

3504. And you think that out of the very large profit that the market make they might do some-

thing?—Yes. Of course you are well aware where the money goes to.

3505. (*Mr. Little.*) You said that you paid about 200*l.* a year in tolls and portorage; how much would that be on the value of the stuff sold; it would be a very insignificant proportion, would it not?—Yes.

3506. Have you any idea of the value?—It would be a penny a bag on potatoes.

3507. But what would be the value of the whole turn-over?—I could not tell you, because sometimes I might take in that business of ours 14,000*l.* a year, from one end of the year to the other.

3508. And the tolls and portorage upon that would not be more than 200*l.*?—No, you can call it just over 200*l.*

3509. Do you complain of the charge for portorage?—The majority of the salesmen in our market would like to see that portorage taken off, but, speaking individually, I should not.

3510. Do they charge you more than it would cost you to do it yourself?—We should not be much better off if we had it taken off. At this time of the year we should be better off. Now I have two men standing in my place with nothing to do. As the vans draw up I have to send the porters round to unload them, and my men are standing there. In the summer time we are glad of the help, because we have not got strength enough on. Had we that extra strength on, no doubt it would come at the end of the year to the same money; but, as I have already said, the majority of the salesmen are in favour of having it taken off.

3511. The market trustees claim the right of portorage of all your goods?—Yes, they do.

3512. Has that ever been disputed?—No, and I will give you another instance. We have a load of potatoes drawn up as I say. We want to get it unloaded, and we have sent for the porters, and they are busy. If I want that load of potatoes unloaded and placed in a certain position on my place, I must put my own men to do it, and then they charge just the same.

3513. (*Sir James Corry.*) In the case that you referred to just now, you are obliged to use your own men, and yet you have to pay the market trustees for portorage?—Quite so. They say: “We unload ‘them to oblige yourself’”; but when you have a lot of stuff there to sell you want to unload and to sell it.

3514. But you think that the regulation with reference to the market trustees having the charge of the porters, is on the whole advantageous to the market?—I think so myself. As I say, I am only giving my individual opinion now. I do not come here on behalf of other salesmen. As I say, there are times in the year when, if I wanted to unload my own stuff, I should want to put on more help, and at the end of the year we should probably find it just about the same, whichever way it was.

3515. But your chief complaint is that there are people in the market who have shops there that pay no tollage?—That is so.

3516. Do they pay portorage?—They do not pay portorage because their own men unload their goods.

3517. They neither pay tolls nor portorage?—No.

3518. Is their accommodation much better than yours?—No, they have a large shop. The only advantage is that they have a nice house to live in; of course we have not got that at our place. We have only a stand, which we shut up at night time.

3519. (*Mr. Picton.*) Do those people who have shops do their portorage for themselves?—Yes.

3520. (*Mr. Charrington.*) You were mentioning that you would like to see the tolls reduced; are you aware whether they are higher than those at, say Spitalfields and Covent Garden markets?—I do not think they are higher. If I had been asked this question before I came, no doubt I could have found out. I was merely called here about the tolls and portorage.

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3521. (*Mr. McCarthy.*) You say that the approaches of the market are not well kept?—They do not seem wide enough to me, but if I told the Committee so they would tell me to mind my own business.

3522. Is the market itself well kept and clean?—Yes, there is nothing to find fault with in it, and I must confess that the committee are gentlemen if you have any complaint to make.

3523. Have you made complaints?—Yes, of losing goods in the night-time. It is not like a shop; it is really like an open space in a square, and we cover the goods over with bags.

3524. Are the complaints attended to when you make them?—Yes, but I suppose that is a thing that they cannot help. Supposing that this toll and portage were taken off, the committee have power to raise our rents. That is another item that ought to be looked at.

3525. (*Chairman.*) Are you here as representing any body of salesman?—No, none at all.

3526. Did you tender your own evidence?—This is really my own evidence.

3527. But did you come here at your own initiative, or were you asked to come?—Mr. Holditch, the clerk to the market, asked me if I would come, and I said, yes; but what questions I should be asked here he did not know at all.

3528. You were asked to come by the clerk to the trustees?—Yes, I believe your secretary wrote to them and asked them to send a person from the market. With regard to the rent of the ground that we occupy we are quiet satisfied with that; but the

great grievance in the market is this excessive toll and portage.

3529. (*Mr. Childers.*) How are the porters appointed; do they apply to the trustees?—Yes.

3530. Are they upon a list?—They engage them like ordinary men.

3531. Is there a great demand for the appointment?—No. Of course there are plenty of better jobs in the market that they get. For instance they get 25s. a week, and they may pick up a few odd shillings with the salesmen.

3532. Are there more applicants for porters places than there are vacancies?—No, when they want a man they get another man, there is no extra rush for them.

3533. (*Mr. Picton.*) With regard to the competition for shops or stands, you say that there is no such competition?—No, for the simple reason that a grower or another salesman will come along, and will say to the beadle, "I should like to sell my own produce," or "I should like to sell on commission," and the beadle would say, "Well, there is no vacancy now," and he would refer him to the clerk, and the clerk refers him to the trustees, and in a week or, so if there is a vacancy, he lets him know about it.

3534. Is there a list of applicants kept?—No.

3535. The applicants do not receive preference in the order of their applications?—No. I could take you into the market now and show you three or four places empty, because this time of the year is very bad.

3536. (*Chairman.*) How long do you take your place for?—We are only weekly tenants. We pay every week. There is no lease and no agreement.

The witness withdrew.

Mr.
J. Denton.

Mr. JOHN DENTON examined.

3537. (*Chairman.*) We understand that you are a costermonger, engaged chiefly at Spitalfields Market?—Yes.

3538. Have you been there long?—Over 20 years. Where I go to Covent Garden once I go to Spitalfields 40 times.

3539. Are you appointed by others to come here and represent their case to-day, or do you come to speak only for yourself?—Mr. Horner asked me whether I would come down, and I said, yes; and I received one of your letters.

3540. Are you acquainted with the opinions and wishes of those who do business in the same way as yourself in Spitalfields Market?—In Spitalfields Market we can buy cheaper than we can at other places.

3541. There are a good many persons, I understand, employed like yourself in Spitalfields Markets?—Yes.

3542. And, knowing many of them, you know, I suppose, their views and wishes in a general way?—Yes, there are a lot the same as myself, and we go there and the one tells the other. If any of my friends go to any other market, we generally meet once a day, and we say, "What have you bought?" "Well," they would say, "I have been to the Garden, or to 'the Borough';" and we tell one another the prices. If they buy anything cheaper than I do, they tell me, and if I buy anything cheaper than they do, I tell them.

3543. There is constant communication between you?—Yes. We generally find Spitalfields Market the cheapest place.

3544. Will you tell the Commission what you wish to say?—If we buy things off a man in Spitalfields Market, perhaps it is two or three months before we go to him again. We never buy off a man regularly. If one man cannot give us what we want and another man can, we buy anywhere, all over the market.

3545. You find, on the whole, that what you want to buy is cheaper at Spitalfields Market than other places?—Yes.

3546. Do you know why that is?—Because more people go there; more growers come there.

3547. What class of goods do you deal in chiefly?—Anything; whatever is in season.

3548. Vegetables and fruit?—Yes; greens, fruit, or anything that is in season; whatever I can see the biggest shilling out of.

3549. Have you any difficulties or grievances to complain of at Spitalfields Market?—No. If I buy 20 or 30 dozen of greens, or cabbages, or savoy, I come with a two-horse cart, or van, or barrow, or whatever it is, and load up.

3550. Are you subject to any tolls or charges when you are dealing there?—No, not a farthing.

3551. Is there any request that you have to make to the Commission?—No. We pull in. We cannot pull in before 9 o'clock at any market. We buy at 9 o'clock in the morning. We might buy at about 7 or 8 o'clock, but then we have to stop till 9, because we cannot pull our carts and vans in till then.

3552. Why is that?—Because it is the rule of every market that you cannot pull in until after 9 o'clock, when the market is over.

3553. Do you know the reason of that?—I think it is because the greengrocers have all gone away by 9 o'clock, and then, whatever stuff is left, is for the likes of myself.

3554. The cheaper stuff?—Yes. We buy a lot of things, and we buy it much cheaper than the greengrocers.

3555. You have been in the market before 9 o'clock yourself, of course?—Not with a vehicle, but I have been there.

3556. To see the produce and judge of the prices?—Yes.

3557. The people who buy the best of the goods go in first, and then what is left is sold at a reduced rate to the costermongers?—Yes. Greengrocers might go to the market at about 4 or 5 o'clock in the morning. They must buy, and they must get home by about 8 o'clock in the morning. They have to buy at whatever price it is. These growers, I suppose,

know that the likes of myself will clear up the rest of the stuff that is left, and they stick out for their price until about 9 o'clock, and then, when the market is over, we buy much cheaper.

3558. It would not be any advantage to you to get into the market earlier?—No, because the growers hang out for bigger prices until about 9 o'clock.

3559. Do you do a large business. Have you more than one barrow or cart?—I have a stall in Chapel Street; in fact, I have two; but I buy a lot of stuff, and I have to sell it very cheap, or else I could not sell it.

3560. Do you sell it entirely at a fixed stall, or do you move about at all?—I sell it in Chapel Street, at a fixed stall.

3561. Are there many of you who sell round the streets?—I have done so, but not for the last two or three years.

3562. Do you find that there is much difference in price from day to day, or do you clear off at 9 o'clock at pretty much the same prices?—The price varies. We have to buy cheap, because if we did not buy cheap we could not sell cheap, and if we could not sell cheap we could not sell a quantity, and if we did not sell a quantity it would not pay us.

3563. Does the price change much from day to day?—Yes, particularly in the pea season. Sometimes you can buy 20 bags of peas on the Friday at about 3*l.* or 3*l.* 10*s.*, and perhaps they are worth 7*l.* on the Saturday; or, perhaps, it would be the reverse, and they might come down on the Saturday.

3564. Therefore, your trade is a somewhat risky trade; you have to take the chances of the prices going up and down?—Yes.

3565. You cannot charge your customers very differently?—No, because if we do not sell all round one price they will say, "We can as well go without them as with them."

3566. Where you sell are there a good many stalls?—Yes, there are a great many stalls and shops.

3567. About how many stalls would there be?—I should think about 100, besides shops. Where I am, there are stalls on both sides of the way.

3568. The carriages go down the middle, and the footpath is on the other side of you, and then there are shops inside the footpath?—Yes.

3569. How often in the week are there those 100 stalls there?—That is every day.

3570. There is no special market day in your district?—No.

3571. Do you suppose that you supply practically almost the whole of the poorer class from your stalls?—Yes, I do; besides, it is not only me, but everybody the same as myself sells wonderful cheap, and sells a good deal of stuff to get a little profit, and the people come from far and near to this place.

3572. You would say that of the poorer people, as a rule, the majority get their wants supplied from stalls like your own?—Yes.

3573. Do you hear any complaint of the things you sell?—We never have any complaint.

3574. You always supply good articles?—Yes, good articles, and cheap.

3575. Are you exposed to any inconvenience from the police or from other people trying to move you away from where you have been accustomed to sell?—They cannot very well move us, because it is a *bonâ fide* market street, ours is. We have to have nine-foot boards, and three feet wide, and four feet in between.

3576. Is there any parish or other authority that gives you leave to take up your particular place?—No.

3577. But the street has been a market street for a great many years?—For a great many years.

3578. When you first took up your stall there, had you to get anybody's leave to go there?—No; we put our boards on trestles, and started selling; only the police came up, and told us to have our boards

measured, nine feet long, and three feet wide, and four feet in between; that is all.

3579. Once having taken your position, you are not liable to be interfered with?—No; as long as we keep the place clean, and there are no rows, nobody interferes with us.

3580. If you were away for two or three days, and did not occupy your stall, would anybody else take possession of the place?—Of course, if anybody put in there, I could do nothing.

3581. All that you have to be sure of is that your stall is occupied every day?—Yes.

3582. If so, nobody interferes with you?—No.

3583. You get a sort of right or privilege to remain there?—Yes; as long as we keep our things in proper order, nobody interferes.

3584. You pay no footing, or anything of that sort?—No.

3585. And you do not pay the police anything?—Certainly not.

3586. And they take as much care of you as they do of the shopkeepers?—Yes, they do the same with us as they do with the shopkeepers. As long as they see no fault they never grumble.

3587. Do you think that the amount of business that the costermongers do is about the same, or is it increasing?—About the same.

3588. As long as you can remember?—Yes.

3589. How long have you had a stall?—My wife had a stall first, that is about 20 years ago, and then we got married, and we have carried on the same since.

3590. And before that you moved about?—Yes, round the streets.

3591. (*Sir James Corry.*) When you were moving about the streets, did you find any inconvenience from interference by the police?—No. They would not allow us to stop on any crossing, but as long as we kept round the streets off the crossings, we could pull up and serve anybody without any interference.

3592. Have you heard any complaints about the interference of the police with the costermongers?—No.

3593. Was it in about the same locality that you are in now that you went about the streets?—Yes, within about a mile or something like that.

3594. I suppose there is considerable competition amongst the costermongers for the vegetables and things when it comes to 9 o'clock in the market?—Yes; the growers know about 9 o'clock that they have got to let us have them or else keep them, and they do not like to keep their things, so that we have them at our own price, very near.

3595. Do you buy by auction?—No, not unless we go to Covent Garden and buy foreign fruit or apples; we buy them by auction, but not green stuff, unless it is the very large foreign lettuces; we might buy them by auction.

3596. The rule is that you buy privately from the growers?—Yes.

3597. Do you buy from the commission salesmen at all?—No, not unless a load might be sent up by rail and taken in, and then we buy from commission salesmen; but we generally buy off the growers.

3598. (*Mr Picton.*) Spitalfields is the only market, is it, at which you deal?—It is not the only one, because if we did not go there we should have to go to Covent Garden, or else to the Borough Market; but Spitalfields is the chief place that we deal at.

3599. Do you go to the Borough Market sometimes?—Very rarely we do.

3600. You find no advantage in going there?—No, Spitalfields is about the best market we can find.

3601. Why do you not find it to your advantage to go to the Borough Market; are not the goods to be had so cheap there as at Spitalfields?—There are things at the Garden or the Borough Market which fetch very nearly double the amount of money that they do at Spitalfields, because more green-stuff comes to Spitalfields than to the other markets. At

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Covent Garden there are more of the West End people, and the likes of myself has not much of an opportunity to buy.

3602. The fact is, that there are goods left over at Spitalfields, whereas there are not goods left over at Covent Garden or the Borough Market?—That is it. At times you can buy off people at the Borough Market or at Covent Garden, but not so well as you can at Spitalfields.

3603. Do you find any difficulty of access to the Borough Market?—Only just about the same. You cannot get in before 9 o'clock.

3604. There is the same rule there as there is at Spitalfields?—Yes.

3605. (*Mr. Little.*) Where is this Chapel Street where you stand?—In Pentonville; near the Angel at Islington.

The witness withdrew.

Mr. MATTHEW TIMLETT examined.

Mr.
M. Timlett.

3611. (*Chairman.*) What is your trade?—My trade is that of a salesman at the Borough Market.

3612. How long have you been in the Borough Market?—About 10 or 12 years, on and off.

3613. Have you a stand there?—No, I am an outside man.

3614. Will you give us some idea of what that expression means; what is the nature of your business?—The nature of my business is that sometimes I go to the market, and sometimes I do not; I am only a poor chap, and I work from hand to mouth. I have got a father and mother to support.

3615. When you go to the market you go to buy from those in the market?—Yes.

3616. When you have bought the produce in the market you retail it to the consumer, I suppose?—Yes.

3617. For that purpose have you a shop or stand in the street, or how do you do it?—I stand outside the market, and I pay a shilling a morning for toll, and that clears me up to 10 o'clock in the morning.

3618. Do you pay that to the Borough Market authorities?—Yes, they give me a shilling toll ticket.

3619. Are you outside the market?—Just outside the market, quite at the corner.

3620. Do you mean the corner near St. Saviour's Church?—Near the Hop Exchange.

3621. Is that near where the railway passes over?—No, it is more in the new street.

3622. You sell to the people who use the vegetables?—Yes, that is quite right.

3623. Have you any representation to make to the Commission about the business in the market; is there any grievance that you think might be remedied?—I do not think there is any grievance whatever.

3624. You have no complaint to make?—No. I buy a few things off the people in the market, and I take them and sell them, and I pay a shilling toll. I am there about four mornings a week.

3625. That is all you pay?—That is all.

3626. Are there many in the same condition as yourself?—There might be two or three; I cannot mention anybody else.

3627. (*Mr. Childers.*) I do not quite understand how you do your business. Do you take the goods outside the market and sell them outside, or do you pay your shilling for the right of taking somebody in to buy in the market?—I stand outside a public house, called Mr. Colley's, on a piece of waste ground.

3628. Open to the air?—Open to the air.

3629. And you have the right of buying what you like in the market, taking it to your little stand, and selling it?—Yes. There is toll paid on the market things that I buy, and I pay a shilling toll, and clear away at 10 o'clock in the morning. I have been in the market, but I have not got the capital to uphold a higher position than I am in. If I had the capital I should like a bigger place.

3606. (*Mr. Charrington.*) When you buy vegetables at Spitalfields and sell them outside, is there on the part of the market authorities any claim for toll or anything of that kind?—No.

3607. You sell sometimes, I suppose, in Commercial Street or Brick Lane?—No; I load my cart, or van, or barrow, whatever it might be, and take my things right home.

3608. You go always to Chapel Street?—Yes.

3609. (*Chairman.*) Is there anything more that you wish to say?—I do not think there is anything else.

3610. (*Chairman.*) We are much obliged to you, and much pleased with your evidence. You have given it very well.

3630. You do for the shilling very much what a costermonger does, who goes in and clears things out, and sells them at his own stand a mile off?—That is quite right.

3631. (*Sir James Corry.*) You are obliged to clear away at 10 o'clock?—Yes.

3632. Supposing that your goods are not all sold at that time, what do you do?—I clear them away home, and bring them back the next market day. I do not stand there on by-days, only Tuesdays, Thursdays, Fridays, and Saturdays. I have got an old father and mother to support. If I was a man of position, I should like a big stand in the market. I have been in the market.

3633. Do you find any interference from the police?—None whatever. I always keep myself sober and respectable, and keep my place clean.

3634. The police do not interfere with you?—Not at all; I am too respectable for that.

3635. We have heard complaints of the police interfering with the costermongers in carrying on their business, but you have no complaint to make?—No, none whatever. They never make any complaints; I think I am liked too much.

3636. (*Chairman.*) Is there anything else that you would like to say?—Nothing more, only I think the toll people are very good people, and they say good morning, and all this, and that, and the other. But on buying the things in the market, why should I have to pay an extra toll on them?

3637. Do you mean that they should keep up the market without any charge?—No, but there should not be any charge upon things that you buy in the market after the toll has been paid.

3638. You have to pay a charge on the things which you buy?—If we buy them off the people, we have to pay the charges on them.

3639. How much a year do you pay in these tolls?—I only pay a shilling a morning; but if I buy the things from a grower, inside the market, why should I have to pay a toll on them? It is his place to pay it. If a grower fetches in a van load of things, he has to pay his market dues, and if I buy them off him why should I have to pay it?

3640. You think that the charge should stop with the grower?—It ought to stop with the grower who fetches the goods into the market; and if I am the purchaser of a load of goods let him pay it.

3641. Would it not come to this, that if you did not pay it in the name of a toll to him, you would have to pay a larger price for the load of goods?—No; I have got to agree with him whether I shall pay toll on those goods or not.

3642. Have you any idea how much you pay in a week, or a month, in respect of this toll?—I used to pay a lot of money when I was in a higher position, when I sold 10 or 12 boxes of oranges in a morning. But I am only there now about three or four hours of a market morning.

3643. Last week, for example, how much did you pay, besides your shilling a day?—I only paid 4s., because I bought them to sell them; I did not buy them in the market.

3644. What is the largest amount that you have ever paid in a week in the shape of dues?—I daresay I paid 4l. or 5l. a week some years back.

3645. When you were in a larger way of business?—When I was in a larger way of business, to Mr. Lamb and Mr. Abbott, and his son. Things have altered with me since, as they have with a lot more people, and I am in a very small way now.

3646. (*Mr. Little.*) Do you mean that you pay a toll upon goods that have already paid a toll? If you go and buy greens of a grower, and he has paid toll when he brought his waggon in, do you have to

pay another toll when you buy the goods?—No, not unless I buy them in Covent Garden, or any other market. But some growers, when you buy a load of tops of them, want you to pay the toll.

3647. That is an agreement with the sellers?—Yes, that is quite right.

3648. (*Mr. Charrington.*) The same goods do not pay toll twice over?—No, not that I am aware of.

3649. (*Mr. Childers.*) Not to the market authorities?—No.

3650. And 1s. is the amount that you pay as toll?—Yes.

3651. (*Mr. Picton.*) The grower tries to make you pay the toll?—He does.

3652. (*Mr. Childers.*) To pay it to him, not to the market people?—Yes, that is right.

The witness withdrew.

Mr. GEORGE SHAVE and Mr. ROBERT BUNYAN examined.

3653. (*The Chairman, to Mr. Bunyan.*) You are costermongers dealing from Covent Garden, we understand?—From Covent Garden; we deal at the Garden entirely.

3654. Have you been long in the business?—Thirty-five years.

(*Mr. Shave.*) I have been in it 40 years and over.

3655. You are probably conversant with the opinions of many others besides yourselves who deal from the market?—Yes, we mostly speak to each other a word about prices and different things.

(*Mr. Bunyan.*) If the market is bad we ask any other person that comes from the Borough Market how things are there.

3656. (*To Mr. Shave.*) Have you any special complaint that you wish to bring before the Commission?—The only thing that I should speak of would be in the higgling line. I will explain that to you. There are a class of men there that keep a bit of a stand; you may say that they are salesmen, but they are not the people that the things are sent up to to sell.

3657. Are you in business in the market, or do you buy things in the market and sell them outside?—I buy them and sell them round.

3658. You go round the streets?—I go round the streets at the West End.

3659. How do you get your things; do you go to the market in the morning?—I go there in the morning.

3660. At what time?—Sometimes at 5 or 6; and 7 o'clock is the latest that I go; I do not wait for the late markets.

3661. Are your purchases made before 7 o'clock in the morning?—No, up to 8.

3662. When you have made your purchases, you put your things on your barrow, and take them out to where you sell them?—Yes.

3663. Is that what is called the higgling?—No, the higglers stand round, and before we get to the market, it might be at 4 o'clock, they see how the things are being sold from the vans, and they purchase a lot, perhaps 10l. or 20l. worth, and they will put a price on them; and you shall walk all round and you cannot get the things so cheap, from their buying them from the vans, as you would otherwise do. They put a price on them, and you cannot buy them under.

3664. This is a class of men who come in between you and the people who bring the goods into the market?—Yes.

3665. That is what you complain of?—That is what I complain of; and I daresay many others, because the higglers get the produce in their hands, and you cannot get it out unless you pay the price that they want.

3666. And that you consider has the effect of raising the price to you and others like yourself?—I do.

3667. Has that been going on as long as you have been acquainted with the market?—Very nearly; and

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it gets worse instead of better; and especially just now, when things are dear, they put the price on. They purchase them from the regular salesmen.

3668. Have you ever attempted to buy things from the growers and salesmen?—Yes, but not in that way; only for my own sale, with my cart or barrow.

3669. Have others like you made any attempt to get rid of this class of tradesmen to whom you object?—It has been talked about by a great many people in the market; directly the higglers get hold of things, up goes the price of anything.

3670. Have you any suggestions to make as to the regulations of the market which would make it more difficult for these higglers to do as you say?—No, I do not think I could propose anything.

3671. You do not know what it is that gives them this power?—It is only their having a little more money than such as us poor people that can only go and lay out a 1l. or 30s. or something like that. They can go, perhaps, and buy a waggon load of things at a price.

3672. What sort of goods do you deal in principally?—All sorts of vegetables and fruit, apples, potatoes, cabbages, and so on.

3673. Have you ever tried buying in any other market?—I have been down to the Great Northern, and we get potatoes cheaper there, but it is a long journey to go there. If the people the things belong to send them up to Covent Garden, they have to pay more expenses, both in men and cattle and everything else.

3674. And your trade, when you have bought the goods, is at the West End?—The West End, about South Audley Street, Farm Street Mews, and Hays Street Mews.

3675. What class of people do you supply?—The coachmen and grooms, and likewise the inhabitants of South Audley Street and South Street.

3676. (*Mr. Childers.*) You do not see your way, I suppose to prohibiting the higglers from carrying on their business in the market?—No, I do not think we could do that, unless it was taken up in a proper way, to suppress them.

3677. But as a matter of fact they get the advantage which money always gives, more or less?—Yes, that is exactly my meaning.

3678. As to your method of trade, we have heard in other cases that the costermongers do not come into the market until the tradesmen have swept the market, and that then the costermongers come in later in the day; do you go in at the very beginning when the market opens?—Yes, at the beginning of the market, from 6 to 8 o'clock, and sometimes in the summer at 5 o'clock in the morning. I am what they call "the early man round." That is the name they give me, having been round so many years.

3679. You are not kept out of the market by the rich West End tradesmen who purchase early in the

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day, but you have your chance against them?—Yes, we can get there, and purchase as well as they can.

3680. The market authorities do not say that the shopkeepers shall come first, and that you shall come afterward, but you all have your chances alike?—Yes, we all get our chances alike.

3681. What do you pay for going in?—There is no charge of any kind.

3682. Are you perfectly free to go in and buy where you like and as you like?—Yes.

3683. There is no toll put upon your goods when you take them out?—No.

3684. When you take them out, do you take them out in a cart or waggon?—No, we have a porter with a basket. He has a knot, and if we buy a tally of greens, he will take them, if they are large, in three turns, at 2d. a turn.

3685. Do you sell them in South Audley Street and Sheppard's Market; is that within your district?—Yes.

3686. When you get them there, have you a stand there?—No, I move about and halloo them.

3687. Do you do that every day?—Every day except Sundays.

3688. As you move about, are you ever impeded or hindered at all, or are you allowed to move about freely?—Yes, with perishable goods.

3689. The police do not interfere with you at all?—No.

3690. And you may stop, I suppose, for some minutes here and there in the streets, and then move on?—Yes, you may stop and serve a house if it takes half an hour. If you are serving you are never interfered with.

3691. You said that you served gentlemen's servants, and also houses; is it chiefly the poor whom you supply?—Middle class people.

3692. It is not a very poor neighbourhood, but I suppose there are some poor people about there?—There are.

3693. Do they get their goods chiefly from you?—They do.

3694. Do you think that the habit of buying from the costermongers is increasing?—Yes, I believe it is.

3695. You are always very careful, I suppose, that the goods you sell should be clean and in good order, and that people should not be able to say that they are inferior stuff?—I always keep them properly, and sell the best that I can get.

3696. And you find, as the result of that, that you are able to sell freely, not only amongst poor people, ordinarily speaking, but amongst the middle class?—Yes, I do find that.

3697. Have you had any experience of selling at a fixed stall in one of the little markets, one of the street markets?—No, not vegetables.

3698. Have you had experience of selling anything else in such markets?—Yes, I had 15 years in the toy and crockery line in Newport Market.

3699. But not in selling vegetable produce?—No.

3700. You know nothing of the little markets about the town, where there are a number of stationary stalls, and people sell from the stalls?—Not particularly.

3701. Your experience is in travelling around the streets, in fact, the regular costermongers' work?—Yes.

3702. (*Mr. Picton.*) I should like to understand a little more clearly who these higgler are; do they rent stands in the market?—Yes.

3703. They are inside the market?—Inside the market.

3704. Do the people who bring their goods to the market in vans favour them?—I should say yes.

3705. That is to say, if you went up to a van at the same time as a higgler, the higgler would buy the whole van load, and you could not get what you wanted?—If he bought half at the price, he would get it much cheaper than I should; because, if he bought 50 tally of cabbages, there is the money down

for them; and, perhaps, he would pay 5s. a tally for them; but, if I wanted them, I should have to pay 8s. for one single tally.

3706. And you are obliged to buy from the higgler?—If we cannot get them from anybody else; very often we are obliged at this time of the year to buy them from the higgler.

3707. From what you have said, I gather that yours is quite a different kind of business from that which is done at Spitalfields Market?—Spitalfields Market, I daresay, is carried on very much in the same way.

3708. But our information is that there the costermongers go into the market about 8 or 9 o'clock, and buy up what is left?—They get them a great deal cheaper.

3709. But you do not pursue that plan?—I do not.

3710. The consequence is that you do a higher class of trade?—Yes, I may say so.

3711. The costermongers at Spitalfields supply the very poor, but you do not supply the very poor?—No, I do not; I supply the middle class.

3712. We have had information that Covent Garden Market was not adapted for costermongers, and that there was very little costermongers' business done at Covent Garden; is that so?—I deny that; there is a great deal of it done.

3713. The real truth would be, I suppose, that it is a different class of costermongers' business?—People who live a little way out come up every market day, and they will wait the market, as they term it, that is to say, if the market falls, and the price is not got, and there are lots of things left, they can buy them at their own price.

3714. You do not try other markets at all?—I do not.

3715. Spitalfields Market is of no use to you?—No.

3716. Nor the Borough Market?—No; I have been over there, and bought potatoes, to be sure. You get them cheaper than you would at the Garden, but, in the long run, they come quite as dear.

3717. Why?—Because of the expenses of going for them and bringing them home.

3718. (*Mr. Maclean.*) How long have you been trading at Covent Garden?—I have been over 43 years.

3719. All the time at Covent Garden?—Yes, all the time at Covent Garden. I have lived in the parish of St. Ann's all those years.

3720. Is that near Covent Garden?—Yes.

3721. Do these higgler only sell to the costermongers?—They sell to anybody.

3722. Do you always go on the same beat?—Yes, every day.

3723. And you have regular customers, I suppose?—Yes.

3724. And they know pretty well the time when you come?—Yes.

3725. What time do you get done?—About half-past 1 or 2 o'clock; sometimes at half-past 2 in the summer, or 3 o'clock.

3726. I want to ascertain a little more closely, if I can, the class of customers that you supply?—Grooms and private houses.

3727. Private houses in South Audley Street?—In South Audley Street, and South Street and Chapel Street.

3728. Do you take your goods on a barrow, or in a cart with a horse?—On a barrow lately. I had a horse and cart once, but I lost it in the market; it was stolen from me.

3729. (*Mr. Charrington.*) It was stated that in Spitalfields the costermongers had the opportunity, when the regular market was over, of buying what was left very cheaply; have you the same opportunity at Covent Garden?—Yes, if there is anything left.

3730. Perhaps there is not so often as much left there as there is at Spitalfields?—No; there is one portion of the market where the waggons are allowed to stand till 10 o'clock; they must either sell or

remove by that time. That is what I call outside of the market.

3731. (*Chairman, to Mr. Bunyan.*) What district do you trade in?—I sell right round Kilburn and Maida Hill.

3732. You are in the north of London?—Yes.

3733. Have you heard what Mr. Shave has told us, and do you agree with his evidence?—Of course there are a good many costermongers, and we go down about 10 or 11 o'clock, and we pick up a few odds and ends, just the same way as you say they do at Spitalfields. I have been down at Spitalfields lots of times. I often go over there if I find there is nothing at our market. There are lots of things left in our market at the present time that a man might buy up cheap and get a few shillings out of in the same way.

3734. Do you do that at all?—I go round just the same way amongst poor people. Of course it does not make any difference what time I go round.

3735. Have you the same complaint to make about the higglers that Mr. Shave has told us about?—I cannot say as to that. There are a lot of higglers there; it is as Mr. Shave has said. There are higglers all over the market. It does not matter which part of the market you go to; even in the flower market there are higglers just in the same way. Of course, they all have to pay for their stands. If you sell a thing merely for a penny you have to pay a shilling.

3736. Does the 1s. free you for the day?—No; if I was standing in the market, and a porter or anybody passed the barrow and happened to see a cauliflower or a cabbage, or a bunch of radishes, if I sold that for 1½d., they would charge me a shilling for it.

3737. You mean that the market authority would charge you 1s. for the right to stand and sell?—Yes.

3738. But for that shilling you could stand there as long as you liked?—You can stand there as long as you like, but it does not do for us to stand there.

3739. Do you think that you ought to be allowed to stand there and sell free of charge?—No, I do not do anything of that kind.

3740. Then, practically, you do not pay this shilling, because you do not stand and sell?—No.

3741. Have you any complaints to make about the management of the market?—No, I think it is very nice to get into the Jubilee market for a penny: that is where I generally stand, ever since it has been opened.

3742. Where is that?—Outside: the Jubilee market, they call it.

3743. Is there anything else that you would like to say to the Commission?—No, I have got nothing to say against the market. The market has been like it ever since I was in it.

3744. (*Chairman.*) The Jubilee market, as I understand, is the extension which the Duke of Bedford opened last year?—Yes.

3745. (*Mr. Picton.*) Can you go there and stand for a penny?—No, that is for our carts to stand while we buy.

3746. (*Mr. Little.*) But you pay nothing for going into Covent Garden, do you?—No.

3747. And nothing for your barrow?—Only a penny. I pull right into the Jubilee market; after nine o'clock they will not allow us in.

3748. (*Mr. Childers.*) Do you sell, moving along the street, or at a stand?—I go round.

3749. You do not sell in any of these street markets?—No, there are no markets up our way.

3750. What is the class of people that you serve?—All poor people.

3751. Not the small shop-keepers?—No, unless they might want a few cauliflowers, or a bit of green stuff, if they are short of a morning, and then they might ask us for it.

3752. Do you think that the poor people are buying more from the costermongers, or is it about the same as it used to be?—About the same; but

trade being so bad, people cannot afford to buy the stuff, it being so dear as it is.

3753. But the poor do buy from you rather than from the shops?—If we are a halfpenny cheaper than the shops they will buy from us.

3754. Is there not a street market in the Edgware Road on Saturday nights?—Yes.

3755. Do you go to that market?—No, I have done about six or seven o'clock.

3756. You have nothing to do with the market?—No; it is the same way on a Sunday morning.

3757. (*Mr. Picton.*) Do you find that you get the same price in your neighbourhood as Mr. Shave gets in his?—No, I do not think we do. Last Sunday week stuff would fetch more money in Mr. Shave's district than it did in ours.

3758. Have you to sell at a lower price in order to get more custom?—Of course we must. Poor people cannot go into a shop and pay a lot of money for things when they have only a little money.

3759. Then you have to look after the market to look out for things at a lower price?—Yes.

3760. Do you wait longer than Mr. Shave does?—I might wait there till 10 o'clock.

3761. And then you get what you want at a lower price?—I get it at a lower price if there is anything left.

3762. (*Mr. Maclean.*) Do you generally go to the market as early as five or six o'clock?—I generally go at eight or half-past eight o'clock.

3763. Your business is rather to buy up what is left?—Yes.

3764. And that you probably get cheap?—Sometimes we do, and sometimes we have to pay more money.

3765. Of course you can sell to the poor people in the Kilburn district at a very much lower price than the shops?—Yes, it is lower; the shopkeepers about where I am are so dear. There are four or five little shops about there that do sell a few cheap things. In Clifton Road, and about there, they are all big houses.

3766. Have you any complaint to make as to the management of Covent Garden?—No.

3767. Are you quite satisfied with it?—Yes, I am quite satisfied with the market; I can find no fault with it.

3768. Is the demand for your goods pretty regular every day; can you tell every day what you are likely to sell, so as to be able to regulate the quantity?—No.

3769. It varies a great deal, does it?—We might go out some days and sell half our goods, and sometimes not; and then we take them round to the cookshops.

3770. That is how you get rid of them?—That is how we get rid of them the same day.

3771. Then you have to sell them at a little lower price?—We have to sell them for very near the market cost.

3772. As a rule, is the daily demand pretty much the same?—It is much the same.

3773. Do you buy at Covent Garden every day pretty much about the same quantity?—I never bought anything on Monday, and this morning I could not buy anything.

3774. Why not?—There was nothing there for us people to buy; the stuff was too dear.

3775. Then on those days, I suppose, you have nothing that you can do?—No. I know a young chap that has been seven times to the market and has not bought a thing yet, because things have been too dear.

3776. I suppose this is rather a bad time of the year for your trade?—Yes, it is: March is always reckoned a bad month.

3777. When you get into the summer months you do better, probably?—Yes.

3778. (*Chairman, to Mr. Shave.*) Is there anything else that you would like to say?—No; there is only

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one thing that my friend said about the selling that I should like to speak about. He meant that if you sell an article in the market, and they catch you at it, you have to pay a shilling toll, just the same as if you stand there.

3779. But if other people paid the shilling and you were not to pay the shilling, that would give you an unfair advantage, would it not?—Of course it would.

The witnesses withdrew.

Mr. EDWARD HUNT and Mr. GEORGE WOOD examined.

Mr. E. Hunt
and
Mr. G. Wood.

3780. (*Chairman, to Mr. Hunt.*) We understand that you are costermongers trading from Shadwell Fish Market?—Yes.

3781. How long have you been engaged in business?—Ever since I was a child.

3782. About how many years?—I should think, to the best of my knowledge, somewhere about 25 or 26 years. (*Mr. Wood.*) And I ever since I was a baby. I am turned 40 years of age. I was fetched up in it and I have never been out of it. I know the old market in Billingsgate, and I have bought things out of it and likewise at the new market up at Shadwell.

3783. Does your business consist in going to the market in the morning and buying your day's stock of fish and then going into the streets to sell it?—Yes.

3784. Do you sell in one particular part of the streets or do you wander about from street to street?—I sell in one particular street.

3785. Where is that?—Chrisp Street, Poplar.

3786. Every day?—Every day.

3787. You just have a wooden stand by the side of the footpath?—A board nine feet long.

3788. Is there a market on both sides of the street?—On both sides of the street.

3789. Do you pay anything for the right to sell in that place?—No.

3790. Do you keep the same stand day after day?—Yes; I have stood in one stand for 24 years.

3791. If you were to miss two or three days, would someone else go and take it up?—No, no one goes and stands in my stand.

3792. Are there any rules to which you have to attend?—Yes, there is a new rule come out this last fortnight. The boards are to be nine feet long and three feet wide from the fronts of the shops, so that the people can walk in and out.

3793. Who makes that rule?—The inspector of police came and made us do it.

3794. Are you interfered with by the police at all?—Yes, they keep shoving us about, and if we pull up our barrows outside we have to move them, and we have to have them on the street.

3795. Is that a new regulation?—Yes.

3796. Since when?—It is six years ago since we had trouble like that.

3797. What trouble did you have?—The police used to hunt us about, and would not let us stand in front of Chrisp Street at all; and sometimes they used to summons us and we were fined 10s. or seven days, or 12. or 14 days.

3798. Is that given up?—It was given up, but I think it is coming back to the old form again.

3799. Do you know any reason for that?—I do not. I have been bred and born in the neighbourhood, and, from what I see, the reason was that these French and German Jews have come and taken our stands and we cannot get our own stands.

3800. I thought you said just now that nobody stands in your stand?—Nobody stands in my stand only the crockery-ware woman; I stand alongside the crockery-ware woman.

3801. Then the market in which you take part is a general market for different kinds of goods?—Yes, all kinds of goods.

3802. Does it go on in the evenings?—Yes, in the evening and in the daytime too.

3803. When do you go to the Shadwell Market to get your fish?—Every morning.

3804. At what time?—Sometimes 6 o'clock to half past, or 7 o'clock in the morning.

3805. Do you get your fish at once, or do you wait there?—I wait, according to how I can buy. Sometimes a trunk of fish is worth 20s. or 21s., and I cannot buy it at the price, and very likely, an hour afterwards, I can buy it for 10s.

3806. That is, I suppose, because the richer shopkeepers come and get supplied first, and then, when the market for them closes, the turn of you and your mates comes?—We stand a chance then to buy a bit, after these big shopkeepers have done buying.

3807. Do you pay any market dues to the market?—We only pay 2d. a package. It is far more reasonable than Billingsgate Market, because there is more convenience at Shadwell than there is at Billingsgate.

3808. What is a package?—What they call a trunk or a barrel. It is all one price.

3809. It is a well-known measure, I suppose; there is no doubt about it?—No. Some of the boxes of fish weigh a cwt., and some a cwt. and a quarter, and the barrels go from a cwt. and a quarter to two cwt.

3810. Have you any complaint to make about the Shadwell Market?—No. I think it is the best market that was ever made in our own line, because we can go there and put up our horse and cart or donkey, and all we have to do is to buy our bit of fish and have it taken out and put into the cart. When we go to Billingsgate, if you come to look, after 9 o'clock, for your horse and cart, it is gone to the police station, and it costs you 4s. 8d. to get it out; but you can stop at Shadwell as long as you like, and there is no one to interfere with it.

3811. Is there anything else that you wish to say?—No.

3812. May I ask who suggested to you to come here?—This is what brought me here (*handing in a letter*).

3813. You came on an invitation from the secretary?—Yes.

3814. (*Mr. Maclean.*) How did you get this stand?—I come home of a morning from the market, and my boards are there, and I stand there.

3815. But you have had that particular stand for a very long time?—Yes, before there were houses built there. I was the first one in our line who ever stood in Chrisp Street.

3816. Are there many of you now in Chrisp Street?—There are three or four thousand of us now, from what I can see of it, trying to get a living.

3817. Are fresh people coming and taking up the stands?—They are taking our stands away, if they can get them; but some of us, who have settled there for many years, will not allow them to have them.

3818. You said something about the Jews and the Germans?—They turned us all out of Chrisp Street last Monday. Last Saturday was our last day to stand there; so these Jews and Germans came on the Monday, and the police force were there, and they said, "What do you want there?" And they pitched down, and the police said, "You must go away."

3819. What do you mean by Saturday being your last day?—They said last Saturday was our last day of standing in this market place, and that they were not going to allow anyone to stand there.

3820. You are not standing there now then?—Yes; the inspector gave us leave to stand in front, but not in the side streets again.

3821. Are there shops in those streets?—Yes, large shops.

3822. And your customers, I suppose, are the passengers going up and down the street?—Yes, the passengers going up and down the street to buy a bit of fish off the stalls.

3823. Are the Jews and Germans competing with you in the streets?—Yes, they keep coming down there.

3824. They have got no stands, have they?—They have not got any stands. They would take away my stand if I allowed them.

3825. Do they bring their goods on barrows?—Yes.

3826. And do they sell from the barrows?—Yes.

3827. What sort of fish do they sell?—All sorts; skate, for instance.

3828. I suppose they sell the cheaper sorts of fish?—They sell a good deal of skate, plaice, haddocks, cod, eels, and anything of that sort that they can buy.

3829. Do you buy all the fish that you have described in one lot?—No, we have to buy the fish in different boxes. We buy a trunk of skate, or perhaps there is a trunk of mixed fish, with perhaps a cod or an eel in it.

3830. I suppose that in a fish market the price varies very much?—Yes, it drops down and it goes up.

3831. When the shopkeepers have bought, the price goes down?—Yes, and then we poor class of people stand a chance of buying a bit of fish, after those high people, those big shopkeepers, have done with them.

3832. You say that you have no complaint to make of Shadwell?—No, I think it is a nice, neat little market place, because there is a cover there for our ponies or donkeys, and we have to pay half the price that we pay at Billingsgate. Besides, we get pushed and shoved about at Billingsgate too, and we have to pay 8d. or 6d. a package.

3833. Do you generally find that you have not any fish left upon your hands in the evening?—Yes.

3834. You know pretty well what the demand is, and you get just sufficient to meet that demand?—Yes.

3835. It is a pretty regular demand?—Yes.

3836. Your customers are very poor people, I suppose?—Yes, they are very poor; they work in the docks, and they only get 2s. 8d. a day.

3837. You told us that you got that letter from the Secretary; but did you say to anybody that you would like to give evidence, or did anybody suggest it to you?—No; Mr. Brownfield, the Clerk of the Market, gave it to me.

3838. (*Mr. Picton.*) With regard to this stand in Chrisp street, supposing that anyone were to come and take your stand in the morning before you got there, what would you do?—We could not claim it at all.

3839. There is nobody to protect you?—No.

3840. It is simply a matter of agreement among yourselves?—Yes.

3841. As to the payment at Shadwell Market of 2d. a trunk, to whom do you pay that?—To Hewetts' firm.

3842. Who are Hewetts' people; what have they to do with the market?—They belong to the fish.

3843. They are not market authorities, are they?—No, they are not market authorities; they sell the fish in the market.

3844. How do they come to charge you 2d. a trunk?—That is for the portorage.

3845. Then they carry it for you?—They put it into the cart.

3846. They will not allow you to carry it yourself?—No, they put it into the cart themselves.

3847. What class of people buy your fish; are they generally very poor?—They are a poorish class of people. Our neighbourhood is a poor neighbourhood from Victoria Dock to Chrisp Street, Poplar; they are all working men. The ship-yards are all shut up, and where they used to earn 1l. or 14s. or 10s. a day, they are glad to get 2s. 9d. a day now.

3848. (*Chairman to Mr. Hunt.*) You have heard what Mr. Wood has said; do you agree with it?—My friend has not quite explained himself so much as I should like.

3849. We shall be glad to hear anything that you may wish to add?—When these poor people go to Shadwell Market, if there is a trunk of fish placed upon the form, about 10 lbs., and we only bid the value of 5s. for it, it would be knocked down to us. It is sold by public auction. Whereas, at Billingsgate Market there is the A1 Company and the G. I. C. Company and the Red Cross Company and the Yarmouth fleet, and they set their own price, 10s. or 8s., according to how the market is; and they will say among themselves, "We think these things are worth about 8s. apiece; we will not take any less." That is not public auction.

3850. There is public auction at Shadwell, but not at Billingsgate?—To a certain extent only. They do not sell these things to give us poor people a chance unless the weather will not permit them to keep them.

3851. You mean that the people who have the fish fix a price which they think they would like to have and that if they can keep the fish they keep it on as long as they can?—Yes, that is perfectly right. If you bid 8s. for a trunk of fish, and they think to themselves that it should be 10s., they will hold it and pass it.

3852. (*Mr. Charrington.*) They will not let it go if nobody will bid more than 8s.?—No, they buy it in for themselves.

3853. (*Chairman.*) Have you ever known fish kept back in that way afterwards to be destroyed as having got bad?—I cannot say that I have known it to be destroyed, but I have known fish kept back that should have been destroyed. I think that our City Corporation are very dull in the servants they keep as condemners.

3854. You think there should be more fish condemned than is condemned?—Yes, I do.

3855. Is there any other point that you would like to mention?—Tradesmen such as Mr. Charles of Picnic, and all those people have stands in Arthur Street West or Tower Street. They can afford to get away at 9 o'clock in the morning, which we cannot. If we buy a barrel of herrings at 10s. or 12s. the market people charge 1s. portorage to take it out; and very often we have to stand out in the street and take our chance of getting half-a-crown, or perhaps 3s., and very often we sell one and do not get a shilling out of it. Whereas at Shadwell Market we can buy it, and it is put into our cart, and they treat us with the greatest civility, and they only charge us 2d.

3856. At the Billingsgate fish market do they make Mr. Charles and the other large shopkeepers the same charge for portorage?—Just the same.

3857. So that, although Billingsgate Market is more expensive altogether, they do not make a difference between you and the large shopkeepers in that way?—The only difference is that Mr. Charles and those big buyers stand more closely to the market at St. Mary Hill or St. Dunstan's Hill, or down at the lower end of the Custom House, where the portorage charge is 4d. I might not arrive from the Victoria Dock until 8 o'clock, and perhaps I cannot afford to lay out my 2s. or 3s. until nine o'clock; and I have to go to Tower Hill, which is a quarter of a mile away, and then I should have to pay 6d. portorage; and that is a lot for a poor man to pay in portorage.

3858. What becomes of the 6d.?—There is a class of people who take what they call the "bobbin." They might have 1,000, 1,200, or 1,500 packages. They charge you 6d. a package, but the man that takes it does not realise 1½d. out of it. There is a certain class that takes the benefit to themselves.

3859. (*Mr. Little.*) And you are not allowed to carry it yourself?—If we carry it ourselves we have to pay 1d., and in Billingsgate Market every porter has a license. If we bought 10 packages of fish, and

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we carried them ourselves, and we lost one, we should have to be responsible for it; or if we were, what they call among low people, "maced" out of one, then we should have to be the loser of it, whereas if these people lose one of them we can come upon them for it.

3860. (*Mr. Maclean.*) What do you mean by being "maced" out of it?—That means cheated out of it. It is called, among us low people, being "maced" out of it.

3861. I did not understand about these porters. Are the porters paid by the market authorities?—No, they are paid by the company. Each steamer has its own company. They have their own salesmen.

3862. And their own porters?—And their own porters.

3863. You pay the porters?—We pay the man at the form that books.

3864. (*Chairman.*) These companies that you speak of are the companies that bring the fish in from the deep-sea fishermen by the steamers?—Yes, from the trawlers. I have worked on them, so that I know what they are.

3865. (*Mr. Maclean.*) Do you trade much yourself at Billingsgate?—I trade at Shadwell principally.

3866. Where do you sell?—At the Victoria Docks.

3867. In the same way as your friend does?—Yes; I sell them all off a stall. Our stalls should be nine feet long and three feet wide, and we stand under the Metropolitan Police Act, and if we stand in front of a shop the inhabitants can have us removed if they like.

3868. With regard to the sale of the fish at Billingsgate, do you suggest that all the fish ought to be sold by public auction?—Most decidedly.

3869. You say that is not so at Billingsgate?—No, it is not.

3870. Is it a monopoly?—It should be sold in public auction, but if a thing were a little bit scarce they would pass it.

3871. You would, in fact, suggest that there is a ring, and that this is done to keep up the prices?—You have got at it at once; that is just what it is. You must have known it.

3872. And you suggest that if these sales were effected by public auction there would be a great deal more fish which is now destroyed susceptible of being sold as food to the poorer people; is that what you mean?—Yes, that is my meaning.

The witnesses withdrew.

Mr. H.
Cosgrove and
Mr. F. Softly.

Mr. HENRY COSGROVE and Mr. FREDERICK SOFTLY examined.

3886. (*Chairman, to Mr. Cosgrove.*) We understand that you are costermongers trading from Billingsgate Market?—Yes.

3887. How long have you been a costermonger?—Thirty years.

3888. (*To Mr. Softly.*) And you?—Sixteen years.

3889. (*To Mr. Cosgrove.*) Is your business to go into the market in the mornings and buy fish, and then go about the streets selling it?—No, I stand at a stand.

3890. Where do you stand?—In Chrisp Street, Poplar.

3891. Have you stood there the whole time?—No. I have stood for about 24 years in Chrisp Street.

3892. I suppose it is like other street markets; you have a wooden stand nine feet long and three feet wide in front of you, set by the edge of the pavement?—Yes.

3893. And the people who pass in front buy from you if they wish to do so?—If they do not they go on to another stall.

3894. Do you keep your own stalls?—Yes.

3895. Is that by agreement amongst yourselves, or by the authority of anybody?—No, if the police wish to turn us away they will turn us away,

3873. And you say that, according to the present system at Billingsgate in order to keep up the prices, that is not now done?—That is the idea, because I have worked for them and known them to put things away from one day to another.

3874. And sooner than sell them at a low price they will let the fish become bad?—They will sooner chance it and keep it over for the next day.

3875. (*Chairman.*) As long as it will keep?—As long as it will keep.

3876. (*Mr. Maclean.*) Whereas, you say, that it could be sold at a lower rate, and that if it were sold at a lower rate the public would get the advantage of a lower price?—Yes.

3877. (*Mr. Picton.*) Is it all sold by public auction at Shadwell?—Yes; everything else that goes to Shadwell is sold by auction. I bought a quarter of a machine of haddocks for 4l. 5s. A machine is like a square box with four compartments.

3878. Is no one allowed to sell at Shadwell in any other way than by auction?—You can retail if you like.

3879. Could you sell wholesale in any way?—If you have an auctioneer's licence.

3880. But there is no other way of selling at Shadwell unless you have an auctioneer's licence?—I have never known it.

3881. How does the fish come to Shadwell?—Nearly always by water.

3882. Is there any rail-borne fish?—Yes, the Grimsby fish comes by rail. Mr. Cooke's and Mr. Lockhart's fish comes by the Great Northern and the Midland.

3883. Is there much fish that goes bad at Shadwell?—No; I have never seen any go bad, only things that are unsaleable in the height of the summer: trunks of whiting which we could have bought at 2d. a trunk if we had had any use for them. They were not bad then, they were beautiful, but we had no consumption for them because there was so much other fish in the market.

3884. (*Mr. Maclean.*) Were those fish destroyed?—They were given to the condemner; Mr. Hewett does not keep anything at all bad.

3885. (*Chairman.*) Is there anything else that you would like to say?—No, only that I give Shadwell market great praise and great credit. I think it is a very good market for us poor chaps.

3896. But as a matter of fact, do the police interfere with you?—No; they did begin to interfere with us this week and last week, and tried to make me saw a foot off one of my boards; it was eight feet long.

3897. The interference of the police has been for the regulation of the size of the boards upon which you sell?—Yes.

3898. And they want to get them of the same size, I suppose, to leave room for the traffic?—Yes, so as not to block the thoroughfare up.

3899. And you make no complaint about that?—No, I make no complaint about it.

3900. Has there been any other interference on the part of the police?—No, none whatever.

3901. Do you deal in any other market than Billingsgate?—Sometimes I go to the Poultry Market or to the Meat Market to buy a bit of American meat, or anything like that.

3902. But you do not deal at any other market for fish?—No.

3903. At what time in the morning do you go?—Sometimes I get there at 5, sometimes at half-past-5, and sometimes at 8 o'clock.

3904. When is the time when you begin to buy fish?—As soon as I get there, as soon as the market starts—at 6 o'clock.

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3905. You begin at once?—No, I walk round the market to see the cheapest I can get.

3906. Are you kept waiting until the shopkeepers are served?—No, if you like to top them you can top them if you think it is cheap enough for you to get a living out of it.

3907. You are not interfered with if you do that?—No.

3908. Are there sales by auction at Billingsgate?—Yes, sometimes, and a funny way of auction it is. Last Friday, a week to-morrow, there was a trunk of haddocks passed eight or nine times because there was not a single price bid for it. Those trunks of haddocks will fetch 8s., 9s., or 10s. a trunk. They were bidding 8s. for a trunk of haddocks, and they would not take it as a bid.

3909. Was it sold ultimately?—No, it was not.

3910. Did that stop the market, or did they bring on another trunk?—Down came another one, and this trunk came down again, and people did not know it was the same trunk of fish. Then, perhaps, at the finishing of it it did not fetch more than 6s. It was no good our waiting there to see what it fetched. I have seen the time when haddocks did not fetch more than 1s. or 2s. a trunk. Sometimes they are put up for auction at 18s. or 16s. and they will not take it as a bid.

3911. Who fixes the price at which the trunk shall be offered for sale?—The salesman fixes the price himself sometimes, or tries to do so if he can.

3912. The fish is brought in by companies and they, I suppose, tell the salesmen what price they are to ask?—No, nothing of the kind; it is supposed to be sold by public auction, and times after times they do not sell it.

3913. The salesmen do not?—No, if it does not fetch enough money to suit them.

3914. Then, is it your opinion that the salesmen have too much control of the price?—I do not say that every salesman does; but there are plenty who do sell as soon as it is pitched, whatever is bid for it.

3915. When you have bought the fish do you take it out yourself to your cart, or is it carried out for you?—It is carried out by porters.

3916. Do you pay for that?—We have to pay.

3917. How much do you pay?—Fourpence a package, if it is just outside the market, and if it goes to Tower Hill it is 6d. a package.

3918. Can you get your carts close up to the market?—No, if you leave your cart outside after 9 o'clock, you are summoned, and you have to pay 4s. 8d.; because there is no room. There are vans on each side of it; and if you put your cart in there a constable takes it away after 9 o'clock.

3919. Do you ever trade at Shadwell Market?—Yes, I go there sometimes if a boat happens to come in and I cannot suit myself at Billingsgate Market.

3920. Which do you like best?—Shadwell; there is more convenience at Shadwell.

3921. Why do you not go there always?—I always go to the cheapest place.

3922. Is fish sold more cheaply at Billingsgate than at Shadwell, as a rule?—No, I do not think there is much difference in it; sometimes there is.

3923. What makes you go to Billingsgate, then?—There are different things, things that come by rail, such as fresh herrings, mackerel, and things like that.

3924. You have a larger choice to suit your customers?—Yes, you see different things. At Shadwell only one boat comes in.

3925. (Mr. Maclean.) Where do you put your barrow after 9 o'clock?—On Tower Hill; and you have to pay to have them minded. If you buy eight barrels of fish, that is 2d. a barrel.

3926. One word about this system of sale by auction at Billingsgate; have you any reason to think that the price is kept up by the large fishmongers?—Oh, no, we have just as much chance to buy as the large fishmongers, only they pay a little more sometimes.

3927. In this case you were telling us of about the trunk of fish coming up two or three times because they could not get a good starting price, can you suggest any reason why that was done?—No; I should like to know the reason. You cannot call it public auction where it is passed like that.

3928. I agree with you?—If a package is put on the form, and a man bids a price for it, it ought to be sold.

3929. Do you think there is any combination of the large fishmongers against its being *bond fide* sold by public auction?—I do not know.

3930. You have had no opportunity of judging either one way or the other?—No, I have not.

3931. All you know is, that, as a matter of fact, the fish is not put up to public auction in the ordinary sense of the term?—It is not; you cannot call it public auction at all. If a man bids a price for a trunk of fish, I should think it ought to be sold.

3932. (Mr. Picton.) The fish come in in steamers, do they not, to Billingsgate?—Yes, and by rail too.

3933. Who sends them?—The companies. There are four companies, the A 1 Company, the G. I. C. Company, the Red Cross Company, and the Yarmouth Company.

3934. Do they fix the reserve price, or does the salesman fix the reserve price?—They would do so if they could, but the salesman keeps on putting almost his own price on them. You cannot call it public auction at all.

3935. (Chairman.) You mean that they put the fish up at a price, and if you refuse to give it, of course they cannot get it; and they will not sell it at your price, and so there is no market?—That is the way. It is sold afterwards, but it makes us stand still in the market. This package of fish will keep on going round and round, and 8s. or 9s. may be bid for it, and they will not take it, and then, perhaps, at the finish it will not fetch more than 6s.

3936. (Mr. Picton.) From whom does the salesman receive his orders to withdraw it?—He receives his own orders, for all I can see. Perhaps they are big shareholders in the company; very likely they are.

3937. You do not know that?—I do not know it, but if I were asked my opinion I should think that is it.

3938. (Chairman, to Mr. Softly.) You have heard what has been said; do you agree with what your friend has stated?—I can speak as to what he has been talking about passing the fish. A good full trunk of fish comes down, and it fetches 10s., and they expect a slack one to fetch as much, and if it does not fetch as much, they will pass it round again; and a man who has a fishmonger's shop will walk up to the stand, and he will say, "10s. 2d.," and somebody will say, "No, 7s.;" then he will bid "8s.," and he knows no more about it when he buys it than a child does.

3939. What do you mean by a slack trunk?—One that is not quite full. Of course the fishmonger can afford to give a better price for it than a costermonger can. If I buy 10 or 20 trunks of haddocks, I take them home and smoke them, and I have to take them back again, and I may perhaps earn 10s. or 20s., and perhaps I may lose some, and I have to pay expenses.

3940. Do you smoke haddocks?—Yes.

3941. (Mr. Little.) When you take back into Billingsgate Market haddocks that you have bought there, do you pay the toll again?—Yes.

3942. (Chairman.) Always?—I pay 1s. a day. We might have them sold before we get them there.

3943. Supposing that you take a parcel of haddocks away and have them smoked, and bring them in again, you pay 1s. for bringing them in. Supposing they are not sold that day, and you bring them in on another day, do you pay another shilling?—I pay another shilling, and you have to pay to have them carried in and carried out again.

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3944. Have you any suggestion to make which has been talked over amongst yourselves about new rules for Billingsgate Market, which you think might be made?—I think they ought to sell every fish that comes there within 24 hours, and not to keep it two or three weeks as they do. They keep fish there; they hoist it up if it comes on the Sunday from the West of England, and it is kept till the following week and perhaps over.

3945. (*Mr. Picton.*) It is kept in ice, I suppose?—Yes, and they do not sell it until it is unfit for anybody to eat, and if a poor little fellow, who is not a judge of fish, buys it, he gets a month over it.

3946. (*Chairman.*) If there was a rule made that all the fish was to be sold within a certain time it would put it entirely within your power to buy it or not, and you might bring them down in price, might you not?—No. There are plenty of times when there is an arrival of mackerel, and one has lost a day's work by stopping there till four or five o'clock in the afternoon to try to get a living, and then when they put the fish up they will not sell them.

3947. But then some of you might make a combination amongst yourselves and not offer the money, and they would be placed in an unfair position, would they not?—The fish would be sure to fetch their fair value.

3948. You mean that there is enough competition amongst the costermongers to make sure that nobody got too good a bargain?—Yes, there are too many of us to buy a bargain.

3949. (*Mr. Little.*) How many costermongers are there going to the market regularly?—You see new faces every day. There are as many foreigners as English people. There are foreigners who think nothing of buying 30 or 40 packages of fish, and then they chuck the lot at the foot of London Bridge and sort them. We are eaten alive with Polish Jews and Italians.

3950. (*Chairman.*) Do you think that there are more foreigners coming in now than there were?—There are. At Shadwell Market, I daresay, you may see a hundred Polish Jews and Jews in one day.

3951. Do you mean that you could not have seen them three or four years ago?—You could not; they have come in within the last two years. They come in more and more every day.

3952. (*Mr. Maclean.*) Do they undersell you?—Yes, and they understand very well how to buy, from what I can see of them. They only go by your judgment; they see you bid for one, and no matter what it runs up to they will have it.

The witnesses withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

FIFTEENTH DAY.

Friday, 16th March 1888.

PRESENT:

THE RIGHT HON. THE LORD BALFOUR OF BURLEIGH IN THE CHAIR.

SIR JAMES PORTER CORRY, BART., M.P.
MR. SPENCER CHARRINGTON, M.P.

MR. WILLIAM C. LITTLE.
MR. JAMES ALLANSON PICTON, M.P.
MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. WILLIAM AUGUSTUS CASSON re-called and further examined.

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3953. (*Chairman.*) You have already given evidence concerning some markets in the provinces; we understand that you wish now to give us some information as regards some of the metropolitan markets?—That is so.

3954. To which markets do you propose to refer to-day?—To the markets belonging to the Corporation of London, Covent Garden Market, the Borough Market, and Spitalfields Market.

3955. Will you deal first with the Corporation markets?—In reference to the Corporation markets I should like to make one or two general remarks as to the way in which markets are conducted, and the effect which that has upon the trade. The Corporation have practically acquired control of the most valuable market trade in the metropolis, that is, the meat trade, and the way in which the markets are conducted is such as to secure to the Corporation the greatest possible amount of income. I believe the Corporation do not regard the London Central Meat Market in particular, or even the Metropolitan Cattle Market, as a certain source of profit; but this is due to the amount of money that has been expended upon the market, and much of that is wholly unproductive. I find that they have constructed many works which are not used at all, such as the railway accommodation for the London Central Meat Market; and as

regards the Cattle Market at Islington, it has four great hotels round it and a lot of other buildings, and the size of the market is such that it is really considerably larger than the needs of the trade require. I have seen that market myself on several of the fullest days,—that is to say, what is known as the Christmas market after the cattle show,—and it is never anything like full; there is always a great deal of space that is unoccupied.

3956. Do you make the unproductive expenditure a matter of complaint against the Corporation?—It is a complaint against the Corporation, not so much of their having spent the money, as of their attempting to make their remuneration out of the trade that is done in the market.

3957. But in order to make good the complaint that the expenditure which is at present unproductive was injudicious expenditure, must you not also contend that it is so much in excess of present requirements as to have been injudicious in the light of what may be required of it in the near future?—The point that I take is rather this, that the Corporation went on, we might say for centuries, without giving anything like adequate accommodation at Smithfield, and there were many complaints as to the accommodation at the old Smithfield Cattle Market, and the nuisance that it created. They took the income from

the market all that time, and then when they provided fresh accommodation, they provided accommodation which was considerably in excess of the requirements, and they charge all the interest on the money invested to the market itself, and do not take any account of the income which they had in time past derived when they provided no accommodation whatever.

3958. But unless the income had been funded it has of course been spent by preceding generations and cannot be recovered?—Of course it cannot be recovered.

3959. Are there any other general remarks that you wish to make with regard to the metropolitan markets?—One effect of the way in which both the Metropolitan Cattle Market and the London Central Meat Market are conducted is to put up the middlemen, the commission salesmen, in fact, as an insurmountable barrier between the producer or sender and the consumer. It is not possible in the Meat Market for the producer himself to sell his own goods. In the Cattle Market it might be possible for him to sell his goods, but the trade has got into certain hands and it would probably be very unremunerative for an entire stranger to attempt it. There is another point in connexion with that, namely, that no sales take place by auction in the Cattle Market.

3960. In point of fact, it is not so much the action of the Corporation as the action of the salesmen themselves, who form a ring to keep out outsiders; is that so, or can you point to any action on the part of the Corporation which favours that course of conduct on the part of the salesmen?—Yes. As to the Central Meat Market I could clearly point to the Corporation as being the cause of it. The Corporation say that they let the stalls in the Meat Market at low rents, and that they strongly object to sub-letting, and their reason is, they say, that if sub-letting were allowed the stalls would fetch high premiums. I find that, as a matter of actual fact, it is almost impossible for any outsider or stranger ever to get a stall or holding in the London Central Meat Market. The practice that prevails is this: When a man who had the allotment of a stall on the first opening of the market wants to give up his business, he takes a partner, and that partner, bearing in mind the value of the goodwill of the business that has been created, is prepared to pay sometimes a premium amounting to thousands of pounds for admission to the partnership. The Corporation, then, do not refuse to transfer the tenancy from the one man to the partnership; and afterwards, when the first man drops out, they do not refuse to continue the tenancy to the man who is left. In that way considerable sums pass from salesman to salesman for the right of selling in particular stalls.

3961. So that in that way the ostensible regulation against sub-letting is in practice defeated?—It is. That practice defeats another object which the Corporation have in view, and that is the prevention, as they say, of too high premiums being taken for the goodwill of a business. I have been informed of the case of a salesman who became bankrupt, and he alleged that the value of the goodwill of his business was sufficient, if realised, to pay his creditors a fair dividend, but the Corporation, in pursuance of the principle which they adopt on paper, refused to recognise this goodwill as anything that could be sold. They put the stall up to competition, and the highest bidder was accepted by the Markets Committee. It is a fact that there are hundreds of people ready at this moment to compete for any stall that happens to be vacant.

3962. That would point to this, would it not: that the accommodation in the Meat Market is not sufficient? Can you suggest any other way of defeating that sort of private arrangement for the transfer of stalls or other similar arrangements, except by having a larger amount of space?—Of course providing a larger amount of space is one means of defeating it, but I would later on suggest that we ought not to be

confined to one market for London. That, I think, would be the remedy.

3963. Have you any other general remarks to make about the market?—With regard to sub-letting, the Corporation say that they set their faces against sub-letting, and they will not admit goods consigned in any name other than that of a stall holder. But that again is easily evaded by the occupiers of stalls, because they allow a man to sell at their stalls, by arrangement with them, in their names and on commission, as they say, for them; and a practice prevails as regards sending the meat, poultry, and other things into the market, of using different coloured labels, by which the stall-holders are enabled to distinguish what is sent to them from what is sent to the commission salesman; so that, although the Corporation may think that on the face of it the goods appear all right, and are sent direct to the stall-holder, they are, as a matter of fact, being sent to a commission man who is selling at that stall. That is practically sub-letting the stall, and the profits are shared between the commission man who cannot get a stall of his own, and the holder who has got the stall.

3964. (*Mr. Little.*) With regard to the Islington Cattle Market, I understand you to complain that the accommodation provided was too large, and that the Corporation spent too much money in providing that accommodation?—Yes.

3965. And you said that on the days when the largest markets were held there was a good deal of space unoccupied?—Yes, that is so.

3966. We have had it in evidence that the market is designed to contain 6,600 cattle, and that as many as 10,000 cattle have been there on one day; can you reconcile that with your statement?—I can only reconcile it in this way: that the cattle do not get the quantity of space that was originally designed for each animal.

3967. Then they are crowded?—I have never seen the market crowded, and I have been there on some of the fullest markets.

3968. If you say that the market is too large, then cattle would have more room than was designed for them?—Yes.

3969. And yet you say that they are crowded into too small a space?—I can only imagine as the answer to that that the cattle as a matter of actual fact have sufficient space for standing, but that it might have been originally designed that they should have more. I should imagine from what I have been informed that the capacity of the market is greater than the 6,600, which might be an understatement.

3970. Leaving that point, are you aware that since the market was built there has been a great change in the trade in consequence of legislation forbidding the sending of cattle from scheduled countries to that market?—Yes, that is so.

3971. And that the cattle which now go to Deptford used to go to Islington?—Yes.

3972. Consequently the Corporation might have been perfectly wise in providing accommodation for a much larger number of cattle than now go to the Islington Market?—Yes.

3973. And if those countries which are now scheduled as having disease were taken out of the schedule, their cattle might at any moment come into Islington Market?—Yes.

3974. Therefore, it is hardly fair, is it, to judge by the state of the market at present and to say that too much accommodation was provided?—The view I take of it is this: that what we want is not one large market like that in London.

3975. That is a matter of opinion. Perhaps I may tell you that we have had it in evidence from several witnesses here that the concourse of buyers is a great element in the success of a market, and that one large market is far preferable to several small ones; that is not your opinion?—No, it is not. As a matter of fact I believe it is understood that the London markets when prices are high get the highest price, and when

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prices are low the London markets get the lowest price.

3976. With regard to the sub-letting of the stalls in the Central Meat Market, I think Lord Balfour asked you what remedy you would apply; would you raise the rents of stalls to competition rents?—They are practically that already.

3977. But I thought you said that they were so low that a premium was given?—The Corporation say that they are low, but as a matter of actual fact the rents range from 2*l.* to 20*l.* a week for holdings.

3978. But if they are high how is it that anyone can afford to give a premium for them; how can you sub-let at a profit a thing which is already hired too dear?—The position which I took had not reference to sub-letting at a profit, but to the transferring of the stalls.

3979. But you do not imagine that they sub-let without a profit?—They sub-let to those men who sell on commission.

3980. I think we heard something about transferring the goodwill?—Transferring tenancy. I do not regard that as sub-letting.

3981. But the transfer of a tenancy and the payment for the goodwill of a business implies, does it not, that the occupation is a profitable one, and the rent is not excessive?—It implies that there is a monopoly of trade or a considerable trade there.

3982. Then you come back to this: that the accommodation is limited, and that that creates the competition, and that if the accommodation were larger the competition would not exist?—Yes, that is so.

3983. (*Sir James Corry.*) You say that one instance came to your knowledge of a man who had failed, and who said that if he had been allowed to sell the goodwill of his holding it would have paid a dividend to his creditors, but that the Corporation forbade anything of the kind; do you complain of the Corporation doing that?—It is complained of, and I think it is reasonably complained of, bearing in mind the way in which the market is conducted,

3984. Upon what ground is the complaint based?—The ground is this: that the market is so conducted as to put the trade into a certain number of people's hands, and they have to pay very high rents for the privilege, as it may be called, of sharing in that trade; and when one of those monopolists wants to transfer his goodwill, a goodwill which as a matter of fact has been created under the sanction of the Corporation indirectly,—just in the same way as a value is given to a public-house when a license is granted to it,—yet the Corporation refuse after that man has made a business to sanction the transfer of his business to another person.

3985. But is not the Corporation carrying out the principle that they do not allow sub-letting when a vacancy occurs, and instead of allowing the parties to sell or to get anything for their goodwill they put it up to competition?—Quite so.

3986. Are they, in your view, doing anything that they ought not to do when they act upon that principle?—No, I think they are not.

3987. Is it not a perfectly fair way for the Corporation to act in conducting their meat market when a vacancy occurs to put it up to competition?—It is quite fair for them to put it up to competition in that way, but the fact that the trade is all driven into the London Central Meat Market by their prohibiting the establishment of any dead meat markets elsewhere in the metropolis gives the commission salesmen an unfair advantage as a body over the community, that is over the producers and consumers, and the Corporation take advantage of that fact and get higher rents in consequence.

3988. Is it the case that endeavours have been made to establish markets elsewhere, and that very few indeed, if any of them, have succeeded?—I am not aware. I believe that the Corporation have, as a rule, opposed the establishment of any wholesale market in the metropolis; I know of no case where

they have favoured it. They profess to favour retail markets, but that does not help the matter, because they have already taken their toll on the goods brought in wholesale.

3989. Do you think that the rates and tolls charged by the Corporation in the Central Meat Market tell to the disadvantage of the producers of the meat?—I think so, in this way: when a man sends cattle to market, to the Metropolitan Cattle Market, we will say, he has to pay a toll; and if the market happens to be a full market and the prices are not high, it does not pay him to hold over to another market and pay *laira*ge and further tolls. The cattle are therefore sold to jobbers, and then they are slaughtered and sent to the Central Meat Market, and there they pay another toll as dead meat, so that the Corporation get two tolls out of the meat when the price is lowest.

3990. But is the toll any different when the market is high and when it is low?—No, it is not.

3991. Does not that follow the usual course of business that persons must take their chance of the market?—Yes, that is so; but I think that if, instead of having to send from the south right across to the north of London, and then their having to be sent back again where they are consumed, there were only markets to send them to round London such low prices would not prevail.

3992. Is not the low price for the advantage of the consumer?—No, not if it tends to discourage the producer. Moreover, the consumer rarely gets much benefit in this way, for in the cases I describe the "jobber" is the one who makes the best profit.

3993. (*Mr. Picton.*) As to the revenues received by the Corporation without providing any accommodation for it, that was before the building of the Central Meat Market, I suppose, when the old market was held in Smithfield?—Yes.

3994. There was no building then, was there? Everything was sold upon the ground?—I believe so.

3995. Do you know whether the revenues were considerable?—They were considerable, but I have not prepared myself with the figures.

3996. Are they ascertainable?—I believe so. There was a special report drawn up about the year 1840.

3997. Was it a Parliamentary paper?—No, it was a report to the Corporation of London.

3998. By their own officers?—It was a report by their own officers upon the markets, and that report contains a great deal of information as to what was then called the Smithfield Market, now the London Central Meat Market.

3999. I should be glad if you would clear up this point as to the competition for stalls occasionally. You have stated that the Corporation consider, and that many others consider, that they let the stalls at a low rate, but that where a stall is vacant they put it up to the highest bidder; is that so? You mentioned one case, at any rate, in which this was done?—I believe that is practically what is done.

4000. It was put up to tender in fact and they took the highest tender?—I will not pledge myself that they took the highest tender, because the information is not within my knowledge; but they put it up to competition.

4001. They asked for tenders?—They asked for tenders.

4002. Would the new comer pay a higher rent than his neighbour?—That I cannot say.

4003. It seems to be involved, otherwise there seems to be no reason for putting it up to tender at all. Does that often occur?—No, very rarely.

4004. Then it would amount to this: that there are a very large number of stall holders who hold at original rents, having transferred from one partner to another, and a very few who pay rents that they have tendered to give; is that the case?—Yes, I think that may be taken to be the case.

4005. But you do not know whether those rents that are tendered are much higher than the others?—No, I do not; I cannot ascertain that.

4006. Is it your desire that there should be more markets; do you not recognise that the very name Central Meat Market suggests a difficulty, inasmuch as it is the Central Market that mainly settles the prices?—Yes.

4007. Everybody would be anxious to come to the Central Market?—At present they have no chance of going to any other.

4008. By way of illustration, you are aware that there is the greatest difficulty in setting up any additional fish markets, because people will not go to them?—Practically only one fish market, I think they call it the London Central Fish Market, has been set up by the Corporation; and I think the reason why it has failed is because it is in a bad situation, and because there is only one market. What we want is a number of markets of the kind all over London, and each market not to be devoted to one thing such as fish, so that the people should have to go to one place for fish, and to another for vegetables, and to another for meat. It would be a good thing if there were markets established in different parts of London, bearing in mind the growth of London into so many towns.

4009. (*Chairman.*) Are you speaking of retail markets, or of wholesale markets just now?—Both wholesale and retail together I would say.

4010. (*Mr. Picton.*) Your idea is that markets should always be both wholesale and retail?—I think so.

4011. And of mixed products?—Yes, and not confined to one commodity, and then there would be a chance of the markets being conducted profitably.

4012. I will not pursue that further, because of course it leads to argument; but I understand you to say that it is quite impossible as a general rule for any new comer to get a stall or the means of selling in the Central Meat Market?—The way that I put it is this: that supposing that a number of Aberdeen cattle breeders, or a number of game and poultry senders came to the conclusion that instead of sending their stuff to salesmen in the market they would form a syndicate and sell through their own agency, it would be impossible for them to do so.

4013. Can you form a judgment as to whether, supposing the market were enlarged, the additional space would be taken up?—I think it would.

4014. (*Mr. Charrington.*) You were speaking of there being no other dead meat markets besides the Central Market; is not Leadenhall a wholesale as well as a retail market?—It used to be a wholesale market, but the Corporation have within the last few years completely changed its character, and every act of theirs has tended to drive the wholesale people from Leadenhall Market to the London Central Market.

4015. There are very large butchers' shops in Leadenhall Market that have the appearance of being occupied by wholesale butchers; whether they are, or not, I cannot say. Then again in Aldgate there is a wholesale meat market, a whole row of what are called carcase butchers, where they do not sell retail, but where other butchers supply themselves?—But that is merely an aggregation of shops.

4016. But there is a very large wholesale trade done there?—There is. In the same way there is a very considerable trade done in shops outside the London Central Market.

4017. Alluding to the amount of the surplus revenue of the old Smithfield Market, did you ever read or see any account of how that money was applied?—I believe it always went to the City cash.

4018. To the general revenue of the Corporation?—Yes.

4019. (*Chairman.*) What advantage is there, in your opinion, in mixing up, in one wholesale market, different classes of products?—In the first place it is an economy of time to purchasers.

4020. But the man who wants to buy meat wholesale does not want to buy fish or vegetables wholesale?—Hotel and restaurant people will always buy wholesale, and they buy fish and vegetables and meat.

4021. But you are not going to argue that the hotel and restaurant business is more than an item of the general community's business; it is not so large an amount, is it, as to make it worth the while to alter the market system for its sake?—It is a very considerable amount. I am not going to say that butchers and greengrocers will individually get any advantage from it.

4022. If you have anything more to add about the Central Meat Market we shall be glad to hear it?—I think all that I have to add is, that it frequently happens that there are large quantities of meat destroyed in the market because it goes bad, because there are no purchasers for it. There may happen to be an extra large supply of meat in the market, and the weather is not favourable to its being kept, and owing to the fact that it is all gathered together there in one market, and London does not know of the existence of this glut of meat, one may say, many people who would otherwise buy, do not buy because they do not know the meat is there: and although at times meat is sold at extremely low prices, rather than keep it another day it frequently happens that great quantities of meat are under this system utterly wasted. That is one thing that I think is the result of having only this one central market.

4023. To put your contention in other words, is it this: that in cases where there is an excess of supply over demand, the interest of the men who have stalls, the commission salesmen, and the wholesale salesmen, are liable to be different from those of the producer, who, rather than have his meat destroyed, would have it sold at a lower price than the average price of the day?—Yes, that is so.

4024. (*Mr. Picton.*) Have you any notion of the amount of meat destroyed, or do you think there is any means of ascertaining it?—I think it would be possible. I have no actual information as to the amount of meat myself, but I have ascertained that a considerable quantity, some tons of meat, have been destroyed in this way.

4025. Does it occur every week?—I should not like to say how often it occurs: it is not within my knowledge.

4026. (*Mr. Charrington.*) Are you aware whether there is any official account taken as to the amount of meat destroyed, in the same way as there is with fish?—No; I have not information as to that.

4027. (*Chairman.*) Have you anything to say about the Metropolitan Cattle Market?—I think I have said all I have to say about that.

4028. Then we pass on to the Billingsgate Fish Market and the Central Fish Market; have you anything to say about them?—In the first place the Billingsgate Market produces to the Corporation a considerable profit. It is practically the only fish market for the Metropolis. The trade is driven into few hands, and what I previously urged about having several what one may call markets for distribution in different parts of the Metropolis, is rather emphasized by what goes on at the Billingsgate Market.

4029. What was the effect of the decision in the case of *Davis v. Harvey*?—That is a decision which I cannot find reported in the usual reports, but its effect was this, that the Corporation were not entitled to take toll outside the limits of the Billingsgate Market as defined by the Act of Parliament, and yet it is a fact that they do take tolls outside.

4030. What sort of tolls?—The usual market tolls on goods brought into the adjacent streets by van or waggon.

4031. If it is illegal, that fact must be generally known, and surely would have been challenged, would it not?—I do not know that the fact is generally known.

4032. You are sure that you are not confusing a toll with a charge for portage?—No; I am informed that the Corporation take a toll on the goods, supposing that they are brought in a van and stand in the street adjacent to the market, even though the

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van's head is turned round and the goods wheeled away.

4033. I hardly like to pursue the subject unless you are satisfied of that, and can give us real information about it. You say that you are only informed?—I have not myself witnessed it. Of course it is rather a difficult thing to do.

4034. But have you taken means to test the statement in any way?—Yes, I have, and I have been informed by a person who has seen the tolls paid. I do not think I can go further than that; I do not know that he actually paid the toll.

4035. May it not have been by agreement in some way; are you sure that the toll was not exacted from an unwilling payer?—I believe that if the toll was not paid the van would be moved on as interfering with the regulation of the streets. The law, as a rule, is that the market extends into the adjacent streets, but in this particular case it was held by the courts that the market did not so extend, and yet the Corporation treated it as though it did so extend. I only instance that as one thing to which one can point as an illegal charge being levied by the Corporation of London.

4036. In the evidence of Mr. Packer, the Secretary to the Fish Trade Association, this question was asked him: "Is toll levied upon fish sold from 'vehicles in the neighbourhood of the market?'" the answer is: "Toll is charged upon all fish consigned 'to the market, whether sold in it or from vehicles 'in the streets.'" That would practically be a confirmation of what you allege?—Yes, that is the case.

4037. Is there anything else that you wish to say with regard to the Fish Market?—I was only going to remind the Commission of the quantities of fish that are destroyed in connexion with Billingsgate Market, because that consignment happens to miss the first morning's market. There being no other market open the fish will not keep another day, and so many tons of good food are completely wasted; whereas if we had a number of markets throughout the Metropolis, as I have suggested, it would certainly prove remunerative to consign this late arrival of fish to those markets for distribution later in the day.

4038. (Mr. Picton.) There is an account kept of the amount of fish destroyed, I believe?—Yes, I believe the Fishmongers' Company have that privilege under Charter.

4039. (Chairman.) You have given us general and specific complaints about different markets; we shall now be glad to have any general recommendations which you wish to offer?—I would remind the Commission that the Corporation of London have Charter rights, which are held to extend to a radius of seven miles from the City; and I would point out that they do nothing more than provide certain markets, such as the Cattle Market, the Central Meat Market, and the Fish Market. Those are all wholesale markets conducted for the purpose of bringing a revenue to the Corporation. What I would suggest is that the Corporation should be called upon to exercise their rights in such a way as to take account of the great growth of London during the last century. I think I have shown that great injury is done to the community by the limitation of the trade in these few Central Markets, because before the consumer can get the food it has to pass through so many hands. What I would suggest is that the Corporation should be called upon either to give up those rights and let the trade fall into such channels as it would naturally have fallen into long ago, or to exercise the rights (which would be better) having due regard to the changed circumstances. A duty is, as I should imagine, imposed upon them in connexion with the Charter, and it could never have been foreseen to what size London would grow, and the present system is greatly detrimental to the welfare of the community as regards getting food into the possession of the masses of the people.

4040. (Sir James Corry.) You only give that as your own opinion of course?—Yes, that is my suggestion.

4041. (Mr. Little.) You spoke of the Billingsgate Market as one which yielded considerable profit to the Corporation; are you aware that some of the markets are a dead loss to the Corporation?—The London Central Fish Market is.

4042. Are you aware that the Corporation consider that they are justified in putting all the markets together and putting the profits of one against the losses of another?—Yes.

4043. And that taken altogether the profit is a very small one, allowing nothing for the repayment of the money spent on them?—Yes, I am aware of that.

4044. Do you know at all what the outstanding debt on these markets is?—I do not know the actual figures.

4045. Would you be surprised to hear that it amounts to over two and a half millions of money?—No, I should not be at all surprised to hear it.

4046. Are you aware that the profit on all the markets taken together does not exceed 20,000*l.* a year, without allowing anything for paying off the standing debt?—Yes.

4047. (Chairman.) What have you to say about the Borough Market at Southwark?—I understand that the average net profits of the market are 7,000*l.*, which amounts to 7½*d.* in the *£*. A considerable portion of the parish is occupied by Barclay and Perkin's brewery, the rateable value of which is 13,300*l.*; and the relief given to the poor rate by this subsidy from the Borough Market amounts in the case of that firm to 425*l.* a year.

4048. Have you anything to say as to the way in which the tolls and stallages are levied in the Borough Market?—I find that the tolls and stallages generally are levied in accordance with the terms of the Act of Parliament relating to the market.

4049. Have you anything to say as regards the market accommodation?—Yes; it is found to be very inadequate for the needs of the trade done there. The approaches on every market day are much overcrowded, and this seriously interferes with the bringing of the goods into the market. Goods consigned to the market arrive outside the market at 4 o'clock in the morning, and do not get in until 8 or 9. The result is that the buyers are mostly gone, and there is a loss, a difference in the price that the things will realise of something like 20 per cent. as compared with the prices that would have been realised earlier. This tends to discourage producers from consigning their goods to this market. I have been informed that, during the fruit season, certain firms concerned in the manufacture of jam will send their vans to wait outside the market until those goods which have not been able to get into the market when the buyers are all there get in; and then they are sold at the best price that can be got, and of course those purchasers get the advantage of the low price.

4050. Have you anything to say about portorage at the Borough Market?—I find that there is a great complaint made by people in this market that the trustees levy a charge for what they call portorage, that is to say, for the bringing of the goods into the market from the vans that bring them to the outskirts of the market. I have here a receipt (*producing a receipt*) showing that they take that charge. The complaint is that the salesmen and others in the market have men of their own who could carry the goods in; but they are prohibited from employing their own men, and they are required by the trustees to employ the trustees' porters, and then they have to pay a halfpenny for each package brought in, the other charges being in proportion; and they assert that they really have to pay their own men to stand idle, while they are paying the trustees' porters to bring the goods in.

4051. Has any general complaint been made to the trustees of that?—Yes, but they will not take any notice of it; they will not entertain it; they insist

upon levying the charge and the people who complain of it have only the alternative of either paying it or getting notice to quit their stalls.

4052. Have you suggestions to make with regard to the Borough Market?—I believe that the trustees have obtained advice as to whether they could appropriate the profits of the market to enlarging it, and they are told that they could not do that, and I myself think it is open to considerable doubt whether they could. But there is one section in the Act which specifically authorises and empowers them to alter, enlarge, extend, and improve the market.

4053. To what Act are you referring?—To the last Act, to the Act of 10th Geo. IV.

4054. There is one Act of Parliament which consists of one section, the whole purport of which is that the profits are to be paid to the vestry of St. Saviour's?—Yes, that is so. My point is that they ought, instead of paying over this 7,000*l.* to the relief of the rates, to have obtained an Act since this one.

4055. (*Mr. Little.*) Have you any information as to the reason why the application in 1875 failed and the preamble was declared not to be proved?—I do not know what the preamble was, but I believe the reason they failed was because they wanted to interfere with the rights of the growers, and the growers opposed the Bill and defeated them; but they would not fail if they confined the Act to the purpose of merely enlarging the market.

4056. (*Chairman.*) May I sum up your suggestion with regard to the Borough Market in this way: that even the latest Act under which it is regulated is of old date, and that generally it is unsuited to modern requirements?—Yes, that is so.

4057. (*Mr. Picton.*) Have you had any means of ascertaining the feelings of the stall holders as to the management of the market?—I have been in communication with the greater part of the salesmen and others engaged in this market, and I find that their complaint is general as to the hardship and illegality of this charge for portorage; but that they fear the action of the trustees, should they take any action either as a body or individually to defeat it; and they say that the trustees have threatened them that they have power under the Act to close the market altogether, and sell the property as parish property, and that rather than forego this charge for portorage they would do that. I have that testified to by four or more men.

4058. (*Chairman.*) Were you told at the same time that the charge upon goods is only 1*s.* whereas it might be 1*s.* 6*d.* under the Market Act, and that the charge for portorage just now is the extra 6*d.*?—Yes, that applies to potatoes and other heavy vegetables; but the complaints are as to fruit, oranges, apples, nuts, and those things; and they are charged there 1*d.* per package for toll and $\frac{1}{2}$ *d.* portorage for bringing it in. It is the $\frac{1}{2}$ *d.* that they complain of.

4059. Passing on to Covent Garden Market; have you anything to say about that?—I may say generally that there are many complaints from Covent Garden Market as to the unequal way in which the tolls and stallages are levied upon the people. With regard to the growers I believe you have had evidence that growers and commission salesmen are treated differently, and that the tendency of the action of the owner of the market is to oust the grower and introduce the salesman, and thus to favour foreign produce. By the Act the market is planned out in a certain way, and certain portions of the market are assigned to growers and to commission salesmen; and there is no doubt that at the time when this Market Act was passed, 60 years ago, the great extent to which foreign produce would come into the market was not foreseen. That is now a great trade in the market. Now the market owner encourages the salesmen of foreign produce at the expense of the growers, who have had to fight inch by inch to retain their stands in the market as assigned to them under the Act.

4060. Have you anything to say with regard to

the terms of the tenancies?—The central avenue, as it is called in this market, is nothing more than an aggregation of shops; it is what one might call an arcade, and it ought to be severed from the market. One cannot regard it as a means of distributing by retail the goods in the market at all. But there the tenancy is weekly, and these people make businesses the goodwill of which is something valuable, and then when they have done that, after having been there many years, they are liable to a week's notice, and then the rent is raised mainly because of the monopoly of trading that exists in this avenue.

4061. Do you know any actual instances in which that has been done?—I can cite one case in which the agent of the owner of the market raised the rent from 35*s.* to 4*l.* a week, and at the same time made it a condition that the business should not be carried on as theretofore, but that instead of being a fruiterer's and florist's, it should be a fruiterer's only. As the business that the person had made was more of a flower business than a fruiterer's business, and, as it is generally said by the keepers of shops in this avenue that a sufficient income cannot be derived from fruit alone, the restriction was such as to give the person no alternative but to leave.

4062. (*Sir James Corry.*) Did the person leave?—She did leave.

4063. (*Chairman.*) Mr. Bourne was asked this question: "Do you ever interfere with regard to the people who are employed by the holders of stalls or shops insisting upon their dismissing a servant, for instance?" And Mr. Bourne replied: "You are now asking a general question arising from a special case, the case of Miss Slaymaker. There has been one case of that kind, and only one, to my knowledge," and then he proceeds to describe it. Do you know of any other case?—I do not know of any other case on all fours with that, but I know that the tenants are from time to time required by the superintendent of the market to do, or not to do, certain things.

4064. Such, for example, as keeping their fruits and flowers in alternate windows?—That would be one instance, and that they cannot make use of the shop in the way they like, and find best and most convenient to themselves, and that if they insist upon placing their goods in their own shop in the way they like best, they are threatened with a week's notice to quit.

4065. While you cannot say that that is contrary to the powers of the owner, you regard it as an unwise and arbitrary restriction upon business?—Yes; and what I rather want to urge upon this point is that the central avenue of Covent Garden does not fulfil the purpose for which stalls should exist in a market. It is merely an aggregation of shops; and being such the shops would be far better let, not in the way that stalls in a market are let, that is to say on weekly tenancies for the people to bring their goods in and out from day to day as the trade goes, but in the way that shops in an ordinary street would be let.

4066. After all you cannot say the owner of the market is exceeding his rights?—No.

4067. Have you anything to say about Spitalfields Market?—As regards Spitalfields Market the only point to which I wish to draw the attention of the Committee is that the market is held every day of the week, although a decision of the Court of Appeal laid it down that the market could only be lawfully held on the two days in the week mentioned in the Charter.

4068. What was the name of the case in which that decision was given?—The Attorney-General v. Horner (14 Q. B. Div. 245), 4th November 1884.

4069. What do you argue from that?—That should the time come to buy up these market rights, that is an element that ought to be taken into consideration, so that the compensation should not be based upon the total income derived from the market, but that it should be calculated upon the income derived from the exercise of the market according to the Charter.

The witness withdrew.

Mr. W. A.
Casson
16 Mar. 1888.

Mr.
J. Follows.

16 Mar. 1888.

Mr. JOHN FOLLOWS examined.

4070. You are an Alderman of the borough of Stafford, I believe?—I am.

4071. Are you here as an Alderman, or to represent your own personal views?—I am here, not as an Alderman, but to represent the views that I and a very large number of other people in Stafford hold with regard to markets. I have had a difference with the Corporation with regard to this matter.

4072. I understand that you have been a member of the Council since November 1875, and you were elected an Alderman two years ago?—Yes.

4073. Before you became a member of the Council you were inspector of markets for the Corporation for about four years, were you not?—Yes.

4074. And you have had a stall in the market for a quarter of a century?—Yes.

4075. You have some statement which you wish to make; will you kindly make it?—The Corporation of Stafford formerly had an open market, which they have closed. They have erected buildings and stopped the open market, and the consequence is that, in my judgment, it prevents a great deal of produce coming to market because of the expense of the stallages. The rates are more than they used to be, the space is limited, and the traffic has got into the hands of certain rings.

4076. As I understand the matter, what you have now mentioned was done by the Act of Parliament in 1876?—Yes, that gave permission to the Corporation.

4077. And the markets which they erected were finished in 1880?—Yes, I believe they were in 1880 or 1881.

4078. In 1881 the existing open markets were closed and trade driven into the new market?—Yes.

4079. We understand that the market had existed by Charter from the time of the reign of King John?—It existed before; but that is the first we have of it. I have a copy of King John's Charter here.

4080. Is your allegation that the Corporation have acted beyond their rights or that what they have done, though within their rights, has been injudicious as a matter of policy?—My allegation is that they have acted beyond their rights, that they have no power to close an open market except by Act of Parliament.

4081. Has that ever been the subject of legal proceedings?—Yes, I have been summoned myself.

4082. Will you explain the circumstances?—The moment the market was closed, I took a stall in the market, and I was summoned. I have the newspaper report here if any of the members of the Commission would like to see it. I then pleaded my right to stand, and it ousted the jurisdiction of the magistrates. There was another case in which a man from Nottingham was also summoned and the magistrates dismissed his case.

4083. You practically won your case?—Yes.

4084. Then did you continue to stand in the market?—No, I only stood for the purpose of trying it. I have not stood in the market for more than fifteen years.

4085. What is the complaint about, that you wish to make?—I have here an ordnance sheet of the borough (*producing an ordnance map*). The complaint is that this large space of ground which is available for markets is not used. (*The witness described the map*.) The Corporation have put up a permanent erection, which I say the Corporation had no right to do, because it is a piece of ground of which the public have the right of user.

4086. What, in your opinion, has been the policy of the Corporation?—The effect of their policy has been to materially lower the sum of money that has been collected in the shape of tolls. Before they built these new buildings the tolls were let during the time I was market inspector for 650*l.* per annum. This included shows, the rent of which I collected, amounting to about 20*l.* annually.

4087. (*Mr. Charrington.*) Were they farmed at that rate?—They were. As you will see by the answer of the Corporation, after spending between 9,000*l.* and 10,000*l.*, and I think there was a matter of 6,000*l.* or 7,000*l.* spent by the county and enlarged by private subscription, amounting altogether to nearly 15,000*l.*, the tolls only realise a sum of little over 200*l.* per annum.

4088. How is that explained?—It is explained by the payment of the interest and the sinking fund, and the extra expenses and the gas and all that, and the heavy taxes upon the buildings.

4089. (*Chairman.*) Your complaint is this, then, that the Corporation are making less profit than they did before.

4090. Not that the market is less efficient?—I say that the market is less efficient. There are only a certain number of stalls. Take the butchers' stalls; there are about 40 stalls in the market, and they let for a considerable sum of money, and there are no more to let. The last time that the market inspector was asked by the Corporation at the Corporation meeting he said that he had five applications for stalls and that he had not room to put them. In order to show the effect that that has on the production of marketable articles I may mention that a large firm of Colonial butchers were down in the town some six or seven months ago, and they wished to get a stall for the purpose of selling Colonial meat; but they were told that they could not have one, all the stalls being occupied. They then wanted to stand in the open market; but notice was given to them that if they stood in the open market they would be prosecuted. The consequence was that the butchers kept up the price of meat, and it was no benefit to the farmer and a decided loss to the consumer.

4091. Your point is this, is it not, that the concentration of the market under a roof has thrown the conduct of the business too much into the hands of the salesmen?—Yes, and that the producer does not get an opportunity of taking his stuff into the market because there is no room for him.

4092. Is the producer artificially kept out in any way?—Yes.

4093. How?—He is kept out by there not being room for him. Take the article of potatoes. Some 20 years ago I have seen as many as 15 or 20 and sometimes 25 farmers' carts or waggons brought down to the potato market where it was originally held, and the potatoes used to be put down on the pavement. I do not think that they paid any toll at all; they only paid a small sum for the use of the scales, and the potatoes were sold to the consumers in small quantities as they were wanted. Now the very same potatoes are very often sent over to Birmingham and sold there in the wholesale market and brought back again to Stafford to be retailed, and there is no place at all for a producer to put his articles in, although all this large amount of money has been spent.

4094. Has complaint been made to you by the producers upon that point?—Yes, by scores of them. Even last Saturday night a very large farmer who farms 500 or 600 acres told me that he had to sell his potatoes to Birmingham and Wolverhampton salesmen; whereas if he had a chance of putting them in Stafford market place he would be able to get a penny a measure more for them, and that he could afford to sell them to people for twopence a measure less than they are paying for them now.

4095. Has this ever been publicly brought to the notice of the Corporation?—Over and over again, and the public feeling is so much aroused in the matter now, that notice of motion was given last Tuesday by the chairman of the markets committee to reopen the markets. At the last council election, the eight gentlemen who were returned, were returned pledged to re-open the market, and there was a bye election

last week, and the two gentlemen who were also then returned, were pledged to re-open the market.

4096. We may hope that the question will be solved by the action of the people of Stafford itself?—We may hope so. But this sort of thing is going on all over the country. Nine miles away, at Rugely, there is a contention between the lord of the manor and the local board. At Newport, 14 miles from us, there is an appeal to be heard next week at the Shrewsbury Sessions, as to the right of the local board to put stalls in the streets, and several more difficulties have arisen during the last two or three years. Hardly a week passes when you take up any provincial paper but you find this market question cropping up. There is no clear definition of rights, and in many cases it is not known who are the market authorities.

4097. Is there any other point which you wish to represent?—The vegetable market, the market inspector informs the corporation, is practically in the hands of one middleman who is pretty wealthy, and he tells the rest what prices to charge. Of course, if it were not that we have a good deal of garden land surrounding the town, the prices would be terribly enhanced.

4098. Your point is this, that if there was fair play for the producers, they could stop a combination of that kind?—Certainly, because you will allow me to mention this as an example: I have a large piece of ground attached to my own house. Sometimes I produce vegetables, especially potatoes in larger quantities than I want, but I have no means of selling them only to the middleman, because I could not go and take a stall in the market every day, although I might occasionally send down one of my men to do so. Last year I had 100 bags of potatoes more than I wanted, and I had to sell them to the middleman and take his price because I had no place to sell them anywhere else.

4099. (*Mr. Little.*) You are probably aware that there are complaints from many markets that they are not covered, but are held in the open air and in the open spaces of the town?—There were complaints about our markets till they were covered, and now a good many of us wish that they were uncovered. I may say that I am a firework manufacturer and travel a great deal about the country, and I do not know of any case in which there is not an open market as well as a closed market. Even in Wolverhampton, where they laid out a large amount of money, they had to purchase property at a higher rate for the purpose of having an open market.

4100. (*Chairman.*) When you speak of an open market, do you mean open so far as the air is concerned, or do you mean open so that anyone can go and sell there?—Open in both ways; open to the sky. There are no expensive buildings, and there are no expenses on them and consequently sellers can go in for very much less toll than they have to pay in a market building.

4101. (*Mr. Little.*) Do the freemen of Stafford claim some special right?—Yes, we have a right of standing toll free. It was at first given in all the markets in England, but by desuetude it now exists only at Stafford.

4102. They claim the right of standing toll free in the open market in their own town?—Yes.

4103. Has there been any attempt to do away with that right?—The Corporation put a clause in the Bill of 1876 that they should be allowed to take tolls in

spite of any custom in the matter. The Markets and Fairs Clauses Act was incorporated and a clause put in that "the Corporation may, notwithstanding any law or custom, from and after the passing of this Act, demand and take in their markets and fairs such tolls as they may, with the sanction of the Local Government Board from time to time determine." I have always told them they have no authority to do that, because our freemen's rights were reserved to us by the Municipal Corporation Act of 1835, and this was an attempt by a private Act to override a public Act.

4104. But that Act being obtained, do you still say that those rights exist?—The Municipal Corporations Act of 1883, six years afterwards, re-enacts the freemen's privileges the same as they were in 1835, so that that clause of the Act is mere waste paper.

4105. (*Sir James Corry.*) According to your experience of what has happened in Stafford, do you think the municipal authority is the best authority to have charge of the market?—Yes, I think so, because if they go wrong, as they have in this instance in the course of a very short time, they can be made to go right. It is far better to be in the hands of an elective body than in the hands of a private proprietor who has only his own interest to consult.

4106. You will be able to get this put straight yourselves without the interference of any other authority?—We think so. We mean to have a good try. But at the same time I hope the result of the labours of this Commission will be some fresh legislation on the matter, so that it can be fairly settled, because I can assure you that the cases are perpetually cropping up, and unfortunately they are generally against poor men, the stallholders, who have no chance in fighting a Corporation.

4107. (*Chairman.*) As regards fresh legislation, is there any point that you would like to bring before us that might be made the subject of a general recommendation?—No more than that I should like to insist that Corporations should not be allowed to make a profit out of any market and that there should be in every town sufficient accommodation found for casual producers who happen to come into the market.

4108. (*Sir James Corry.*) But I thought you established your right to go into that open space and have a stall there?—I established that I had a claim, and my claim prevented the magistrates having jurisdiction, but the question itself is not decided.

4109. Is that open space occupied?—It has been occupied every Saturday since. The Corporation took tolls at it until last November twelve month. Then it was stopped for a time till I tried it. Since then there have been lots of people there. The Corporation officers go and threaten them in the morning, but those people refuse to go, and there the matter ends. I should think we have lost at least 200*l.* in tolls which the stall-holders would gladly pay.

4110. Is there anything more you would like to add?—No.

4111. (*Mr. Charrington.*) Is it your general opinion that the markets are better in the hands of public authorities than in the hands of individuals?—Certainly.

4112. (*Sir James Corry.*) But you would not allow them to make a profit out of the markets?—I would not allow them to make a profit, because I think the markets were established for the supply of the community.

The witness withdrew.

Adjourned to Thursday next at 12 o'clock.

*Mr.
J. Follows.*
16 Mar. 1888

At No. 32, Abingdon Street, Westminster.

SIXTEENTH DAY.

Thursday, 22nd March 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. THE LORD BALFOUR OF
BURLEIGH.
THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART., M.P.
SIR THOMAS MARTINEAU.

MR. SPENCER CHARRINGTON, M.P.
MR. WILLIAM C. LITTLE.
MR. JUSTIN MCCARTHY, M.P.
MR. JAMES ALLANSON PICTON, M.P.
MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. WILLIAM POUPART examined.

Mr.
W. Poupart.
22 Mar. 1888.

4113. (*Chairman*.) I believe you are the President of the Market Gardeners', Nurserymen, and Farmers' Association?—I am.

4114. For what purpose was that association formed?—For the protection of the common interests of the trade and its members. I will show you, if you please, a copy of the rules (*handing in a copy*).

4115. The objects of the association appear to be the protection and promotion of the common interests of its members as market gardeners, nurserymen, and farmers, and also the relief of members in distress?—Yes, and for the protection of the interests of the trade in general.

4116. May we take it that this association represents the growers of produce attending Covent Garden Market?—I think so.

4117. How many members does it number?—A little over 100 at the present time.

4118. And I suppose we may assume that among those members are some of the largest growers of produce who frequent the market?—Yes.

4119. How long has the association existed?—Since the year 1828. The deed of settlement was made upon the 28th of November 1828.

4120. Is it the fact that the growers have from time immemorial enjoyed rights and facilities in reference to the market?—Yes.

4121. Are any special rights of the growers recognised by the Act of George IV. under which the market is now held?—Yes. Sections 7, 9, 14, and 17, I think you will find all apply to that. Section 7 is the appropriation clause, and that allots the market into various sections. The first sub-section of section 7 provides that certain stands which are marked in the plan with the letter B are to be "exclusively appropriated" (the word "exclusively" is used) "to the reception of waggons and carts in which fruit, flowers, vegetables, roots, or herbs shall be brought to the said market for sale, and for the exposing to sale and selling such fruit, flowers, vegetables, roots, or herbs on the stand to which the same shall be brought, subject to such tolls or sums of money as are in the schedule to this Act in that behalf mentioned; and the growers of fruit, flowers, vegetables, roots, or herbs, shall be deemed to be the person having the preferable right to resort to such stands under the provisions of this Act." The next section is as to the parts of the market which are marked with the letter C, and it provides that those parts "shall be divided into stands, which stands shall be called 'the yearly cart stands,' and shall (except and subject as herein-after mentioned) be exclusively appropriated to the reception of waggons and carts of or belonging to growers of fruit, flowers, vege-

tables, roots, or herbs, and to the exposing to sale, and selling the fruit, flowers, vegetables, roots, or herbs grown or reared by such growers, and be let by the said Duke, his heirs or assigns, being owners of the said market, or their tenants thereof, by the year or for any shorter period, at such yearly or other rents, and subject to such tolls or sums of money, as are in the schedule to this Act in that behalf mentioned; and the person to whom any such stand shall be let shall be deemed to be the holder thereof, and the person having the preferable right to resort thereto under the provisions of this Act." The next sub-section as to letter D refers to the potato market; the next, as to letter E, refers to the fruit market. Letters F and G are the "yearly pitching stands," and the same rule applies as applies to letter C. The word "exclusively" is used there again.

4122. In other words you claim under the Act an exclusive right to certain portions of the market for the growers?—For the growers of produce.

4123. Is there any definition of who the growers are? Is it any person who grows produce and sends it to the market?—I take it that it does not matter how far from London he comes, although no doubt it was originally intended to apply to growers in the vicinity of London.

4124. Therefore the number of growers being unlimited, and the area assigned to them, as we may suppose, limited, there will probably always be a certain number excluded who cannot enjoy the benefit of the Act?—Just so.

4125. That is not what you complain of?—No.

4126. Do you complain that the accommodation provided by the Act is unduly restricted?—Yes.

4127. In other words you want more space for the growers?—I mean that certain stands which are by the Act allotted to growers are occupied by people other than growers.

4128. Then you say that the growers are refused tenancies; what do you mean by their being refused tenancies?—There are certain growers who wish to take a yearly stand. But there are yearly stands unlet, or presumably unlet, or occupied by somebody else, and they cannot get admitted as tenants.

4129. Is your objection that they are not allowed to hold these stands for a year, or for any longer term; or that they cannot get them at all on any terms?—Some of the stands that I could mention they cannot get on any terms.

4130. You say in the statement which has been put before us that some of the stands are unlet notwithstanding application for them by growers; do you mean that they are allowed to remain absolutely

unoccupied?—No, some of them are reserved and treated as casual stands. They are saved for perhaps one grower who occupies the same stand morning after morning; but he is charged per morning instead of by the year, which amounts to a very considerable difference.

4131. (*Mr. Little.*) The terms are less favourable?—Certainly.

4132. (*Chairman.*) Then you say that they are let to persons who are not entitled to become tenants; what other persons are those?—Persons who are not growers.

4133. You complain further that some of these stands are used for purposes other than those for which they were appropriated by the Act?—Yes.

4134. And the charges are made by way of rent and tolls in excess of the tolls and charges authorised by the Act?—Yes.

4135. With regard to the casual cart stands, under the Act, as we understand, those are to be exclusively appropriated for waggons and carts in which produce shall be brought to the market for sale, and for selling such produce, the growers having a preferable right to resort thereto?—Yes.

4136. Do you say that the provisions of the Act are not complied with in that respect?—Yes, there are a number of those casual stands that are occupied, some by commission men and a great number of them by people selling oranges—middlemen.

4137. You are a numerous association, and I suppose an association of men fairly well off; if there has been any violation of the Act have you ever attempted to test it in a court of law?—No.

4138. Why not? You complain that the growers are excluded from privileges to which they are entitled under the Act; therefore you complain of a breach of the Act?—Yes.

4139. Is not the natural remedy for that an application to a court of law?—Certainly. I can only give you the reasons since I have been in office myself, and I have not been in office so very many years; but I know that it is extremely difficult to get men who have been, I may say, overcharged to come forward. Even now there are men who refuse to become members of our association on this ground. And I may say further that the association until now has not been enrolled, and the action would have to be taken by the party aggrieved, and that we could never get done.

4140. But however it may be you have a remedy in a court of law for the wrong if it exists, and you have not used it?—Not up to now.

4141. Your complaint is that persons other than growers are allowed to occupy portions of those stands, and that growers are consequently crowded out and driven into the public thoroughfares?—Yes.

4142. With regard to the yearly cart stands, we understand that those under the Act are also to be exclusively appropriated for the waggons and carts of growers of produce?—Yes, that is our reading of the Act.

4143. And that they are to be let to growers at the rents fixed by the schedule to the Act?—Yes.

4144. Do you complain that yearly cart stands have been refused to them?—Yes.

4145. Have applications been made for such stands?—Yes, I have here a list of people who have made applications.

4146. Has a considerable portion of the space allotted for yearly stands been appropriated for casual attendants at the market?—It has.

4147. You state here that in some cases growers have been driven to pay rents and tolls in excess of those authorised by the Act, as a condition of their tenancy?—Yes.

4148. There again is a case where if the Act has been infringed you would have a remedy in a court of law?—Yes. This I might say in passing is comparatively new.

4149. Are we to understand that practically the same complaint is made with regard to the yearly pitching stands; and that they ought to be let exclu-

sively to growers, but that they are not let exclusively to growers?—Yes. Growers are driven to pay rents and tolls far in excess of those authorised by the schedule, as a condition of their tenancy. I could not give you any case of a grower being driven to pay an excessive rent as a yearly tenant; but in the stands which are called the yearly pitching stands used by casual attendants, and those who are refused tenancies, I can give instances in which occupiers of a stand from morning to morning are charged over and above the schedule prices.

4150. The growers, as we understand, have, by the Act, a monopoly of certain parts of the market; and your object is to assert that monopoly, and you object to other persons having been brought in to share in it, who have no right so to do?—Yes.

4151. You admit that the matter is one which is regulated by the Act, and with which therefore it would be in the power of a court of law to deal?—Yes.

4152. You have no reason for coming here with the complaint except that it is inconvenient to you to adopt the ordinary legal remedy; is not that so?—I will not say that, because we are now in communication with the Duke or with the Duke's agent. It may yet result in that.

4153. You have had a communication with the representative of the Duke of Bedford in the management of the market, and some correspondence has passed between you?—Yes. The correspondence I think is printed and is before the Commission; but there is an inaccuracy there. I think the correspondence finishes by saying that we have had no reply to the last printed letter. We received a reply to that letter yesterday.

4154. I do not think we need go into all the details of this question, but we understand that Mr. Bourne denies that you have the legal right which you claim?—I think you may say so under clause A.

4155. It is claimed on behalf of the owner of the market that the letting is in his discretion, that a grower has no inherent preferable right, but that when a tenant is admitted, if he is a grower, he then enjoys his holding with preferable rights, that is the contention, is it not?—That is the contention in the letter.

4156. But it is contended that there is no obligation to let to the grower only by the year?—That is what it says here.

4157. And I believe Mr. Bourne further states that the stands are generally let to growers, and that where that is not so it has arisen from the altered conditions of market business?—Just so.

4158. In point of fact he claims the legal right to do what he has done?—Exactly.

4159. I understand the question as between you and Mr. Bourne to be, whether you possess under the Act those legal rights which you are claiming?—Yes.

4160. I presume that every part of the market is occupied?—Yes, by somebody.

4161. And that the area not occupied by growers is occupied by other people who come to sell?—Some part which should be occupied by growers is occupied by commission salesmen who have already their portion allotted to them; and a great portion is occupied by what you may call middlemen who deal in oranges and nuts, and so forth.

4162. But looking at it from the point of view of the interest of the public, I presume that it is the interest of the public that as many people as possible should have access to the market for the purposes of sale?—Producers, undoubtedly.

4163. Producers and middlemen, I presume?—I leave you to judge whether middlemen are as useful to the public as producers. It is a question where a middleman begins and ends.

4164. Do you claim any special right for the producers?—Under the Acts, undoubtedly. I do not think that the Act allots any space to the middlemen; and in fact in my own recollection they had to wait

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until the growers had sold out before they could find room.

4165. You claim that a certain privileged position has been given to the growers by the Act?—Yes.

4166. And that the general public, or sellers, other than growers, have been allowed to interfere with that monopoly to a greater extent than the Act warrants?—Exactly.

4167. That is a question I presume to be settled by a legal exposition of what the Act really states?—Exactly.

4168. (*Lord Balfour of Burleigh*.) I should like to have this matter of the preferable right clearly brought out. Is there any other part of the Act except section 7, sub-section B., which gives growers a preferable right?—If you will look at section 15, you will see that that is a clause authorising the owner to let yearly stands to people other than growers—"Provided always, and be it further enacted, that notwithstanding anything herein-after contained, it shall be lawful for the said Duke, his heirs or assigns, being owners of the said market, to let any of the said stands to be called the yearly pitching stands, to any person who, at the time of the passing of this Act, shall be the holder of a yearly stand in the said market by the year, or for any shorter period, at such yearly or other rents, and subject to such tolls, or sums of moneys, as are in the schedule to this Act in that behalf mentioned; and the person to whom any such stand shall be so let shall be deemed to be the person having a preferable right to resort thereto under the provisions of this Act." That was a section recognising vested rights; and that was a section that was required before the owner could let to anybody but a grower.

4169. But does not that section in its operation seem limited only to people who were then holding yearly stands in the market?—Exactly.

4170. Then how does that give the large class of growers outside those who were holding stands any preferable right?—It showed, I take it, that it required a clause to empower the owner to let to anybody but a grower. If it required that clause, the meaning of the other is plain. I am not a lawyer myself, but I am giving you the opinion of an eminent legal authority.

4171. I do not want to argue a legal question with you; but have you had a legal opinion to the effect that this clause gives rights to growers other than those or the lineal successors of those who were standholders at the time of the passing of the Act?—No; I am only taking clause 15 in connexion with clauses 7 and 9, and so on.

4172. I want you to take clause 15 by itself for a moment?—That has nothing to do with growers.

4173. Clause 15 by itself then, we are agreed, gives no right to anybody who was not a holder of a stall at the time of the passing of the Act?—It does not.

4174. Now I want to refer you back again to clause 7, sub-section B, and to ask you whether the last words of sub-section B, do not simply refer to the preferable right that is given in section 16, and to no other?—It is not my opinion that it does, but, as I say, I am not a lawyer, and I will bow to the decision of those who know better than I do.

4175. We have done with section 15. Can you give me any other section which confers a preferable right upon anybody?—No, we depend upon the whole of section 7.

4176. I understood you to say, in answer to the Chairman, that the stands in the market were occupied?—Yes.

4177. But in the first page of your statement I think you say that there are unoccupied portions, that "some of the stands are unlet notwithstanding application for them by growers?" What does that imply?—That they have no yearly tenants.

4178. And you claim under the Act that if there is a grower who wants to become a yearly tenant of a space in the market allotted to growers he ought to be

made a yearly tenant?—I would not go so far as that, but it has always been the custom.

4179. Then what is exactly the meaning of this statement that some stands are unlet, notwithstanding application for them by growers?—They are occupied by other than growers.

4180. Then it should run that some stands are unlet to growers, notwithstanding application being made for them?—It would mean so.

4181. (*Sir Thomas Martineau*.) You admit that there is a discretion in the agent of the Duke as to the person to whom he will let one of those stands?—So long as the person is a grower. We submit that whoever it is admitted as a tenant he should be a grower.

4182. But the agent of the Duke could refuse to let one of those stands, though a grower is ready to take it?—I do not quite follow you there.

4183. Your complaint is, that there are stands unlet while there are growers willing to take them?—Yes.

4184. Then supposing that there is a stand unlet, and a grower comes to Mr. Bourne, and offers to take it, you admit that he has a discretion as to whether he will let it to him, or not?—To A., B., or C.

4185. And he might in fact let this stand remain unlet for a considerable time?—I do not know; we do not say that. That is how we are advised. I could not go into the legal question.

4186. You could say nothing about the limit of time within which the stand may be unlet?—No.

4187. With regard to the difficulty of raising the point of law, you have given a reason which I daresay has force, that when a man is overcharged you find it difficult to get him to come forward?—Exceedingly so.

4188. But that would not apply to a case of a wrongful appropriation of space; if any person is injured by that, you would have no difficulty in getting him to come forward, would you?—We have, indeed; we have had up till now.

4189. Supposing that he is excluded from the market by reason of the wrongful appropriation?—They have found room outside the market, and they get there; and I think I mentioned before that numbers of these stands, which are unlet, are literally occupied by the same people, morning after morning, but they are charged day by day; and I know that many of them are afraid to say anything for fear their stands should be occupied by someone else the next day.

4190. (*Mr. Little*.) What is your argument as to section 15 and its bearing on section 7?—My argument is, if it required a clause to give the owner authority to let to persons other than growers, by inference section 7, sub-sections B, C, F and G refer to growers only.

4191. And the authority so given applied to those only who were then in possession?—Exactly.

4192. And that when they cease to be tenants, the yearly pitching stands must be let to the growers?—Precisely. I remember one case of a man who had a stand.

4193. Is it a condition of membership of your association that the candidate should be a grower?—That he should be interested in land.

4194. Are any of them, as far as you know, commission men; do they sell on commission?—We have one or two, and there are several, I believe, on the point of joining.

4195. It is rather difficult to define exactly what is a grower; a man may grow some small portion of what he sells, but the larger portion of it may be grown by other people?—If a small grower, such as you speak of, attended the market with produce that he had bought, the schedule gives the owner power to charge him.

4196. But would you claim for him the rights of a grower in these particular parts of the market? Supposing that he got a stand as a grower, would you claim that he was entitled to all the privileges of a grower in respect of the other articles that he sells?—That might be carried to a very small point. He

might have a very small garden, and it might cease to be a *bond fide* affair altogether. That I would rather leave to legal opinion.

4197. Then there may be a difficulty in defining what is a grower?—I do not think so.

4198. (*Mr. Picton.*) Do you take the meaning of the word "grower" to be this: that a man bringing goods to the market must bring goods that he has himself grown?—Yes; a man who grows produce and takes it to market (I will not say in his own vans) and sells it, either himself or by his representative who sells for him alone.

4199. With that interpretation the difficulty about having only a small garden would not arise, because it must be his own produce?—The schedule guards that; if anyone takes anything to market that is not all of his own growth.

4200. As a matter of fact, do people take to market partly their own produce and partly what they buy?—Undoubtedly there are some who do so.

4201. Is your society a close society, that is to say, can anyone be admitted to it, or do you lay down certain conditions?—The rules say that members must be interested in land.

4202. They are not necessarily growers of market produce?—We have a salesman, and a seedsman or two, but the great majority are growers, market gardeners, and nurserymen.

4203. Your contention is not that your society is specially privileged by that Act?—Certainly not.

4204. But that all growers anywhere who can bring their goods to market, whether by rail or otherwise, have the same privileges?—Certainly.

4205. You stated that some growers refused to become members of the association, on certain grounds which I could not quite apprehend; will you explain that a little more clearly?—They are fearful that it might prejudice them in the eyes of the owner of the market. I do not say whether their fear is well grounded or otherwise; I only tell you what exists.

4206. Have you an opinion as to whether it is well grounded?—I have an opinion that it is not well grounded.

4207. In your opinion, has the number of actual growers of produce coming to the market been diminished, and has the number of middlemen been increased by the policy of letting the stands to others?—I could not say that the number of growers has decreased. I do say that the number of middlemen has increased.

4208. Have they taken the place of the growers?—They occupy the ground that should be occupied by the growers, in our opinion.

4209. But still the growers are not prevented from coming to the market?—They are driven to the outside area of the market, off the market proper, or in other words from the market, where they have rights by the Act, to a place where they have none.

4210. Can you tell us generally what number of instances you could cite if necessary; I do not want to ask particulars?—I have not counted them, but I have a number of instances here under every heading.

4211. Take those who have applied for tenancies and have been refused; how many cases of that kind have you?—I have 10 here, and those would not be anything like all. One man has applied for 15 years.

4212. Have you many instances of applications for stands that are unlet to growers?—Yes; to that the same answer would apply.

4213. (*Mr. Charrington.*) Why is your association not enrolled so as to give you power to act as a body, and to obtain a remedy for any grievance that you may have to complain of?—It has been the opinion of the majority that that is unadvisable. Possibly if you asked me the question in a few weeks' time it would be different.

4214. Is it the expense of the enrolment that has stood in the way?—No, the society is partly benevolent, and it was feared that that might be stopped by some member who was adverse to giving anything

away. But I may tell you that the enrolment of the association is on the agenda for the next meeting. The society has been quiet; we have never advertised; in fact I will guarantee that a number of people attending Covent Garden Market do not know of the existence of it.

4215. They might suppose that the association existed partly for the protection of their mutual interests?—That is it exactly.

4216. (*Mr. Childers.*) Are you conversant with the business in the market which is within the charter only, or do you know much about the part of the market which is outside the chartered limits?—I know that such an extension has recently been made.

4217. But do you know anything about the business that is conducted there?—Carts and waggons are admitted to sell produce.

4218. And sales of produce take place?—Yes, in a part fenced in by Tavistock Street, between Southampton Street and the Flower Market.

4219. If there was a dispute between either the buyers or the sellers and the representative of the Duke of Bedford in that external area, how would that dispute be settled?—I cannot tell; that is one of our grievances.

4220. Would you explain that to us?—We say that under the charter the Duke of Bedford was granted a monopoly of holding a market on a certain area. If in the interest of the public an extension is required, we object to its being in the power of one individual to arbitrarily charge what he may please. It should be left to somebody else to decide, or else it should come under this Act.

4221. Then the Duke of Bedford's representatives claim that they may charge what they like for that external area?—Virtually. They say that the charges will be the usual charges in the other market. They charge 2s. for every van, and in the summer time they charge a toll upon produce.

4222. But my object was to elicit this from you. If the Duke of Bedford's representatives, in respect to that external area, thought fit to charge a higher toll and to attempt to exact it, what would your remedy be?—I take it that we have none.

4223. You consider that the use of that external area is a matter of tacit understanding between the growers and sellers and the Duke, and nothing more?—I think so. It is an unauthorised market. There is a space for them to go into.

4224. Supposing that the controversy became acute and that you were plaintiff against the Duke of Bedford, have you any idea what sort of proceedings you would have to take?—I take it that I am not compelled to go in there.

4225. But supposing that you did stand there, and supposing that you had afterwards a controversy with the representatives of the owner of the market as to some toll, or as to some condition upon which you were there, how could you enforce your rights?—I could not tell you. I should have to apply to some legal gentleman to help me. It is outside the charter.

4226. If it were within the charter you would know perfectly well how you would act?—Then I could act.

4227. The charter itself defines quite clearly what, in the event of dispute, the proceedings would be?—Perfectly.

4228. Then it is a very inconvenient thing to say the least of it that part of the market should be within the charter, and part of the market outside the charter?—Certainly.

4229. (*Lord Balfour of Burleigh.*) On the first page of your statement you say that charges are made by way of rent, tolls, &c., in excess of the charges authorised by the Act; can you give us any instances in which that has been done?—Yes, in the first place casual vans, waggons, and carts (there is no distinction made) are charged 2s. instead of 1s.

4230. Is there a provision in the Act that there shall be a distinction?—The tolls named in the Act are 4d. for a cart and 1s. for a waggon.

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4231. Do you yourself know of such charges being made as 2s. for a waggon?—Yes, there are numbers of people. I can give names, if necessary. For instance Mr. Tebbutt, who is a grower, has a stand saved for him regularly in what we call the Long Market, and he pays every morning per basket instead of per stand or per van. Mr. Ashby, of Longford, is a grower, who holds a yearly stand, which is very small, about 7 feet by 8 feet, I think. Sometimes the stand is not large enough to hold his goods. On the 8th of March this year he had 40 half bushels of Brussels sprouts which were pitched in an adjoining stand, on which there was room, and he was charged 1s. 8d. for those 40 sieves of sprouts.

4232. What was the excess charge?—10d. There should have been no toll charged at all; he might have put perhaps 200 down there for 1s.

4233. Why not?—He had no more.

4234. Why was that an excessive charge?—The schedule to the Act defines that in these words—"For each stand which shall be let a rent after the rate of 1s. per annum for every square foot superficial of such stand. And for such fruit, flowers, vegetables, roots, or herbs not being the growth of the holder of such stand, as shall be placed, pitched, or exposed for sale, or sold on such stand, a toll of 1s. for each waggon and 4d. for each cart in which the same shall be brought to the said market. For each stand used or occupied otherwise than as in this schedule before-mentioned with respect to the yearly pitching stands the daily sum or rent of 1s." But nothing is said in the whole of that schedule as to the right of the owner to exact a toll upon produce from anyone in that area, let alone growers.

4235. That part of the schedule refers to roots or herbs not being the growth of the holders of such stand; are you able to say whether those particular sprouts were or were not the growth of the holder of that particular stand?—So far as I know they were his own growth. Whichever way it was the toll was 1s. As I said before you will find no reference to a toll on produce that can be demanded from anybody, let alone a grower.

4236. As I understand you these sprouts were not placed upon his own stand, but upon an adjoining stand?—That was so. He would be charged 1s. under the section.

4236a. And the charge made was 1s. 8d.?—Yes, and per basket too. It might have been 100 or 200; he had as much right to bring a whole waggon load for 1s. as he had to bring half.

4237. What was the toll?—A halfpenny per half sieve, which is uniformly charged, I believe, all over the market, when it should be a farthing.

4238. Was any complaint made of that at the time?—That I cannot tell you. I can give other cases. I saw myself a few mornings ago the case of Mr. Mitchell, a grower for many years, from Enfield Highway, I think. He occupies a stand in letter G, and he pays per basket all the year round. On the

10th of March I saw him pay 4s. 2d. instead of 2s. in this very slack time of the year. The only difference between G and F is that G has always been under cover; it is under the conservatory, and the occupiers have to pay 3d. per foot extra upon their yearly rental.

4239. Is it your contention that the holder of a stand under letter G should not pay anything per basket at all?—Certainly.

4240. And this was a charge made, not in the name of rent, but for the article of produce brought in?—He pays no rent; he pays per basket.

4241. If he pays per basket, how can it be said that he is a holder under a part of the Act which provides that he is to pay at the rate of 3d. per annum for every square foot superficial of such stand?—I say that he is a grower, and as such has a right to be admitted as a tenant. Letter G is the portion of the market allotted by the Act to be let as yearly stands.

4242. It comes back to this then: that if your contention with regard to the Act is not right, and this gentleman has no right to be admitted as a yearly tenant the charge would not necessarily be an overcharge?—Yes, I think so. They call them yearly pitching stands; and the clause that we have just been reading applies to yearly pitching stands.

4243. You bring up the case of a gentleman upon whom you say was made an overcharge of so much per basket, and you say at the same time that he pays per basket all the year round. When I ask you why you say that it was an overcharge, you point to the general conditions under which he holds his stand, one of which is that he is to pay 1s. toll, and 3d. per annum for every square foot superficial of such stand in addition. But surely if he pays by the basket, his whole holding is inconsistent with the conditions to which you refer me?—His whole holding is inconsistent with the sections of the Act, according to the way that we are advised. We think that he should be admitted as a tenant, and that in no part of the pitching stands is it in the power of the owner of the market to charge a toll per basket.

4244. But if you are wrong as to your construction of the Act, then this your specific complaint will break down?—Certainly. I have many other cases of persons standing in the casual stands. They pay 2s., and as soon as the fruit season begins or peas come in they are charged toll.

4245. (Chairman.) Is there anything further that you wish to add to your evidence?—No, I do not think so. I have here the reply from Mr. Bourne and our answer thereto. Of course I cannot go beyond the statement sent in. We have a letter here promising to remedy that grievance as to the putting up and exposing to public view in some conspicuous part of the market a copy of the byelaws. They are unreadable, and there are numbers of the people attending the market who know nothing of the law. That was going to be done four years ago.

The witness withdrew.

Mr. JOHN ROBERT BOURNE and Mr. JOHN ASSBEE further examined.

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4246. (Chairman to Mr. Bourne.) We have had before us the evidence of Mr. Poupart, a grower, of Twickenham, who I believe holds a stand in Covent Garden Market?—He does.

4247. And you are aware that he is president of an association of growers?—I have been told that.

4248. I believe you have had some correspondence with him, have you not?—I have corresponded with the secretary of the society, of which, I believe, he is president.

4249. We understand that he claims under the Act of 1828, that the growers have certain privileges as a separate class, and that in virtue of those privileges they have an exclusive right to a certain proportion of the area of the market?—I understand that that is claimed by the society on behalf of the

growers. Mr. Poupart, individually, is treated as a grower, and enjoys those exceptional privileges.

4250. But he contends that the rights of the growers as a class, rights which they possess under the Act of 1828, have been invaded?—So the society states. I demur to that. I do not assent to it at all.

4251. We understand that you do not admit that the grower has a preferential right?—Certainly, he has not, until he becomes a tenant.

4252. When he becomes a tenant what rights has he?—When he becomes a tenant he has preferential rights under the Act.

4253. *Quid* tenant, and not *quid* grower?—Quite so.

4254. You do not admit, what seems to be contended on the other side, that the Act makes it

obligatory on the market owner to let yearly stands to growers?—No, it is permissive.

4255. Then what is the preference that is given to the growers?—When a grower becomes a tenant he then has a preferential right of using the stand that is allotted to him as against any other person using the market; and instead of paying toll he pays a yearly rent, the rent being fixed by the statute.

4256. You do not admit that the market owner is under any compulsion to grant to the growers exclusive rights as against other sellers?—We do not admit that.

4257. And that, I apprehend, is the point upon which the difference between you turns?—Apparently so, judging by the correspondence.

4258. How many growers are there who have yearly waggon or cart stands?—At the present moment there are 32; and there are 45 stands which might be let to them if the market owner saw fit.

4259. Do the holders of those stands come from all districts, or from any one district in particular?—Out of those 32, the majority come from within a distance of probably nine miles. I at one time thought that they came from within a distance of seven miles, but on looking at the map again, and comparing it with our register of tenants I find that I perhaps ought to say nine miles. If you went nine miles in a straight line along the Great Western road, and then made a circle of three miles around that nine mile point, it would nearly cover the whole of the growers who have yearly stands.

4260. I suppose we may take it that the number of casual waggons and carts is very much greater than the number of waggons brought by growers?—They bear no comparison. If the whole of these privileged men came on a market day they could not bring more than 32 waggons, whereas the average number of casual waggons that we have is 166.

4261. They do not claim any monopoly for individuals or for their own association; they would admit that any person who is a grower, wherever he may be, has equal rights with any other grower?—I am not aware that they admit that. The pretension of the association is that these privileges are for the members of the association.

4262. Have they ever put that forward?—I cannot remember any letter in which it has been put boldly in that form; but I judge from the general tone and what one may call the temper of the association in connexion with the discussion.

4263. Is it not rather that the association considers itself as the representative of the interests of the growers?—Perhaps so; but as a matter of fact they are not representative of the majority of the people who use the markets as growers, and many of our best people in the market are not members of the association.

4264. They have stated that charges are made which are not based on the scale fixed by the Act; is that the fact?—They make a vague allegation of that kind, but when I have pressed them to give me the instances the matter has ended in their saying it in a vague general way, and they have had to admit, when I have seen them, that they are none of them paying more than they are liable to pay under the Act.

4265. As we understand it the difference between you and them turns entirely upon the question of the construction of the Act?—I think so. The underlying mistake which in my judgment they make is in supposing that of necessity what are called the yearly pitching stands must be let to them. They do not see that the Act was permissive, and moreover, that the Act was passed for the purpose of enabling the owner of the market to do that which without the Act he could not have done, namely, if he pleased, to allot stands specifically to individuals. Of course I need scarcely remind the Commission that the general principle underlying an open market is that any person having the particular class of produce for the sale of which the market is established, has a right to come there and sell it, provided there is room for

him. The market owner could not therefore, without the enabling powers of the Act, have allotted certain specific portions of the market for certain specific purposes. The Act was passed not to create rights, but to enable the owner to do something which he could not do without it. A careful reading of the Act shows that the whole scope of it was to enable the owner to do something which he could not have done without, permitting him to enclose ground; to put up buildings, to allot stalls and stands specifically, so as to exclude the general public; and, if he pleased, to say to individuals:—"In order to enable you to come here day by day, I will agree beforehand with you to let the stand to you, giving you a preferential right"; but there is no word of compulsion from beginning to end.

4266. We are not the proper judges of the construction of an Act of Parliament, but we understand that the difference between you and these gentlemen is entirely upon the interpretation of the Act?—Yes, entirely.

4267. Have they ever taken any legal steps to enforce their view?—Since the passing of the Act of 1828, I am not aware of any proceedings of any kind. That answer must be taken, subject to such reference as may be necessary, but I do not remember, speaking off-hand, that there have been any proceedings of any sort. There were several actions prior to 1828 at the time when the market was let on lease; and in truth the market from 1818 and 1820, or thereabouts, was evidently getting into a very disorderly and disorganised condition, and I have no doubt that that prompted the management of that day to advise the Duke to take it into his own hands, which resulted in the Act of 1828, and the erection of the present buildings. From that time the management has been under the Bedford Office, and I have no recollection of any action at law, and there have been no parliamentary proceedings since.

4268. There has never been any question, then, of getting a legal decision as to the matters in dispute?—There have been disputes in the direction that I now speak of. Since I have had the privilege of representing the Duke, I may say that the secretary of this association has from time to time come and said: "There is such and such a stand vacant; you must let it to a grower." My answer has been, "My good sir, there is no *must* in the case; we want it for a casual, and we cannot tie up that ground to an individual."

4269. (*Lord Balfour of Burleigh*.) Would the answer which you have just given apply to the part of the market known as letter C?—The letter C represents the yearly cart stand.

4270. Is not that exclusively appropriated to growers?—Yes.

4271. Then the Duke would not be entitled to let any part of letter C. to anyone who was not a grower?—Quite so; but there is a distinction between these preferential growers and the casual growers. The whole of the ground is occupied by growers.

4272. We understand from you that no part of the sections of the market appropriated under the Act to growers is let to anybody who is not a grower?—No part of the market marked C for the yearly cart stands is let except to growers who bring their waggons to sell their goods. The question of difference between us is whether those stands shall be let by the year to certain preferential growers, or whether they shall be let by the day to a casual grower who may come and want accommodation.

4273. I understand that there is no part of letter C. let to anybody who is not a grower of some kind, whether a regular grower or a casual grower, or anybody who, according to your interpretation of the Act, comes strictly within the meaning of the word grower as contained in the Act?—That is so.

4274. (*Mr. Childers*.) The controversy between you, if I understand it, is this: that the association contend that if there is any available space, and persons who are growers apply for a yearly tenancy,

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you must not give the preference to casual growers who are not applying for a yearly tenancy?—Yes.

4275. And you, on the other hand, contend that you may do as you like?—Precisely; or I should put it perhaps a little differently from that. I say that the market management is under no compulsion to let any part of C to a preferential grower, but must let it to a grower.

4276. That does not quite meet my question. Supposing that there is space, and supposing that there are persons willing to come in as annual tenants, you say that you may disregard them and give a preference to persons who are merely casual growers?—Yes.

4277. (*Chairman.*) I presume that in claiming that right you consider that you are practically supporting the interests of the general public, the buyers and sellers, against an intended monopoly?—That is the motive of my action. It is to make the market available for a larger number because it is not possible that those few limited growers living within eight or nine miles of London, growing only a particular class of produce, could have a monopoly of a very large section of the market.

4278. Then in point of fact the whole thing turns upon this: that under the Act of 1828 the greater class of growers claim a kind of monopoly right which you do not admit; and that the question can only be authoritatively settled by a court of law, and that they have never chosen to bring it there?—That is the thing in a nut shell.

4279. (*Mr. Childers.*) When you say that there have been no proceedings taken for a good many years, I suppose you would allow that taking proceedings against the Duke of Bedford by a grower, who is probably a man of small substance, is a very serious matter?—It would be, unquestionably, if it ever became necessary for a man to embark in a law suit, particularly to test a question turning upon the construction of an Act of Parliament. But there has not been, so far as my knowledge goes, any question of a man being in the position of needing to bring the thing to an issue by means of a law suit, because I venture to think that no case has ever arisen.

4280. The greater part of the market is under the charter and under the Act of Parliament; but a certain amount of the market which is now in regular use is not under the charter and not under the Act of Parliament?—The cleared spaces which are in process of formation in aid of the market are not under the charter, and are simply private grounds used by the owner in aid of the market.

4281. But they are all part of what is popularly called Covent Garden Market?—The business of Covent Garden Market is carried on in common on both spaces.

4282. And although you know the lines of demarcation, and some other people know them tolerably well, to the public eye it is all one market?—The line of demarcation is quite apparent to the whole world, because we have gates and enclosures around.

4283. But you levy the same tolls whether it is within the chartered area or within the non-chartered area, do you not?—We take for the user of the unchartered market as our rent, payments which are based upon the tolls that would have been taken in the market.

4284. Supposing that a humble man got into a controversy with the market owner with reference to the unchartered part of the market, the proceedings which he would have to take would be of quite a different character, would they not, from those which he would take if the same quarrel or dispute arose in the chartered part of the market?—Undoubtedly, because the Act under which any proceedings must arise within the chartered market does not apply to these new areas.

4285. If you were taking proceedings against the grower you would know very well what to do in the unchartered part of the market?—I should not have any difficulty.

4286. If he, on the other hand, were proceeding against you he might find himself in great difficulty, might he not?—It is hardly conceivable, because if such a case did arise, that a man wanted to take proceedings to enforce any right, there would be no technical difficulty in his way, and the very first step that he would take would be to obtain the assistance of some member of the legal profession, who would necessarily put him on the right course.

4287. But he would have to enforce an implied agreement if the dispute arose outside the chartered area; whereas, if it arose within the chartered area it would be under the Act, and it would be perfectly clear. Is not that extremely inconvenient?—No inconvenience up to the present has arisen.

4288. But is it not likely to be very inconvenient that in the same market if I am on one side I have to take one kind of proceeding, and if I am on the other side I have to take a different kind of proceeding?—It is scarcely conceivable that any difficulty or inconvenience would ever arise. Reasoning from the known to the unknown, I should think that we should never have the slightest difficulty.

4289. But is it not the case that this new area has only just come into use?—Yes, but the new flower market has been in use for several years.

4290. (*Mr. Charrington.*) It was complained of by a witness that the table of tolls was illegible, and that it was put in a part of the market where it cannot readily be seen; is there any foundation for that complaint?—The table of tolls is put really in the only bit of space that is sufficiently large to take it. I admit that at the present moment from wear and from the dirt of the market it has become dingy, and is not very legible; but in the annual cleaning up and re-painting of the market the table of tolls will be re-painted, and the board will be made so that it can be read.

4291. The witness said that, four years ago, your attention was called to it, and that it was not remedied?—That is not correct; it was done. The board was not re-painted, but Messrs. Cubitt had instructions to clean it. They reported to me that the board did not need re-painting, and I went and saw that the thing was perfectly legible to anybody who wished to read it. In addition to that, this board is at the entrance to the market office, and the market office is always open, and printed lists of all the tolls can be had if anybody wants them.

4292. (*Mr. Picton.*) What is the meaning of the phrase "preferential grower," which you have used once or twice?—The meaning is this, that a grower who becomes what we technically term a yearly stand holder, has the preferential right of using the allotted plot of ground upon which to put his waggon; that is to say, he may come into the market at any hour and bring his waggon, and has the right to have his waggon put into the place for which he pays his rent. He, therefore, has a preference over any other grower; and if you read the Act you will find that if any other grower has gone into a stand which is let to a preferential grower, the first comer has to turn out when the preferential grower arrives. It is a species of booking, so to speak, by the year, or by the six months, or by the three months, or whatever the term may happen to be, giving him the preferential right to use the ground for the placing of his waggon.

4293. Then your view of the Act of George IV., I understand, is, that without some such legislation it would have been impossible for the owner of the market to assign a particular stand by the year?—I think it would have been so.

4294. Were there no shops in the market before this Act was passed?—There were only certain shanties along one side of the quadrangle, things that had grown up in process of years scarcely worthy the name of shops, and used by a very limited number of people, particularly the potato dealers. Those sheds had been put up, and men were accustomed to put in those places their stock of potatoes and things which they did not sell to-day, and kept over till to-morrow. There also had grown up prior to the Act places

where people sold other things than vegetables, and one of the clauses of the Act is for the express purpose of preventing that for the future. I believe it is a matter of history, that people sold birds and rabbits, and even tin ware, and iron ware, and china ware in one or two of those shanties.

4295. Since the passing of that Act the shops have been let?—Under that Act the owner was authorised to enclose certain portions of ground which were specifically mentioned in the Act (letter A) and upon those portions of the ground he was at liberty to put buildings and shops, and to let them by the year, or for any term that he might please.

4296. Even though the persons to whom they were let were not growers?—Even though they were not growers; but they must be for the sale of vegetables.

4297. But not necessarily by growers?—Not necessarily.

4298. Then growers have no privileges other than those possessed by any other tenant who may secure a shop?—They have no privileges other than that, if they have a yearly letting made to them, they have a preferential right of always using the same spot.

4299. The shopkeepers do the same thing of course?—They do, if the shop is let to them.

4300. On reading certain sections of the Act, and finding the term grower continually used, we were led to suppose, perhaps in ignorance of the law, that the growers had some special privileges?—With regard to that part which is marked C, it says in the Act, that it shall be exclusively appropriated for the reception of waggons belonging to growers. But the section relating to the building says that they may be let to any person, and so with regard to letter D, which has reference to stands, they may be let to any persons, growers or otherwise.

4301. (*Sir James Corry.*) I understand that there are 32 growers who have waggon stands?—Yes.

4302. But I think you stated that there was an additional number of 45 stands?—That space, which under the Act is marked letter C, "yearly cart stands," will accommodate 45. There are 33 waggons; one of them is a double stand.

4303. How are the other stands occupied?—By the casual growers.

4304. Not by preferential growers?—No.

4305. (*Sir Thomas Martineau.*) Have you had any Act of Parliament since the Act of 1828?—No, that is the last.

4306. Then you are free from all the clauses of the Markets and Fairs Clauses Act?—Entirely, and we are free from the Metropolitan Building Act, and from the Metropolis Management Act.

4307. Is there in the Act of 1828, or in any previous Act, any clause giving a summary remedy before magistrates, or otherwise, for any dispute?—Yes, both the Act of 1813 which was repealed by the Act of 1828, and the Act of 1828 itself, direct that offenders shall be taken before a magistrate. All offences have to go before a magistrate, and also proceedings for the enforcement of the byelaws and for the infliction of penalties.

4308. That does not quite meet my point. I am aware of the section for the recovery of penalties, and so on, and as to offences: but the Markets and Fairs Clauses Act contains a section for the settlement of disputes where there is no offence; you have nothing of that kind in any of your Acts?—There is nothing of the kind in this Act.

4309. In fact this is the sole Act that regulates the market?—This is the sole Act.

4310. (*Lord Balfour of Burleigh.*) Mr. Poupart in his statement says the charges are made by way of rent and tolls in excess of the charges authorised by the Act; he was asked for some instances, and he alleged as one, that the proper distinction between carts and waggons is not maintained, but that there is a different charge for waggons and carts; is that so?—Yes, that is so under the Act, and in practice we take for carts and for waggons.

4311. What is the distinction between a cart and a waggon?—A cart is a vehicle with two wheels, and a waggon has four.

4312. Is it your practice, then, to take 1s. from all vehicles that come with four wheels, and 4d. from all that come with two?—The uniform practice since the passing of the Act has been that the carts pay 1s. and the waggons 2s., where the position is secured beforehand.

4313. Under what part of the Act is that charge regulated?—That is a point that is filled with difficulty. It is difficult to fix upon the precise word of the Act which enables the 2s. to be taken for a waggon; 1s. is the normal waggon toll, and the 1s. is taken where a waggon merely comes into the market, or within the ambit of the market, and is not put into position. But where a man secures a place which practically means that he takes it to-day, for to-day and to-morrow, and his waggon comes in to-morrow, he pays 2s.

4314. What do you call being there for to-day and to-morrow; do you mean coming in one night and going away the next morning?—Yes.

4315. It is simply one transaction?—Under the Act he cannot come into the market before one o'clock in the morning.

4316. Then if he comes in before midnight you charge him a 1s. toll?—I am trying to find the origin of that. I only know the practice which has been in operation ever since the passing of the Act, and which has been as I am now stating it. I have no documentary evidence to show the origin of the practice, but I am seeking to give an explanation of the probable origin of it.

4317. I see in the schedule to the Act that there is a charge of 1s. for each waggon, and 4d. for each cart in which produce shall be brought into the market. Where is the provision in the Act or in the schedule which gives you the right to charge the second shilling?—That is for each market day.

4318. Where is that stated?—The general scope of the Act is to apply to each market transaction, to each market day. The hours are limited, nothing can be brought in before one o'clock in the morning, and it must be taken away again by 12 o'clock the following day.

4319. Is that in the Act?—Yes.

4320. Then it is really the fact that because a man's transactions have to extend over parts of two days, that gives you the right to charge the complete 1s. for every day he is there?—We think so.

4321. With regard to rents and charges, we also asked for instances, and this instance was furnished to us. A Mr. Ashby, of Longford, the holder of a stand, was charged upon the 8th of March this year 1s. 8d., that is a halfpenny a half bushel, for 40 half bushels of Brussels sprouts which he brought in, and put upon an adjoining stand; can you say whether that would be according to the ordinary practice?—If a specific date is given, one would have to refer to the market books of that day. Mr. Assbee, the market superintendent, says that he remembers the transaction. (*Mr. Assbee.*) I do not remember the individual transaction, but I know Mr. Ashby perfectly well. He stands in the Long Market, and he has one stand only; there is only one to let. He avails himself of a neighbouring stand, upon which he pitches his fruit and other things, and when he pitches Brussels sprouts, we call Brussels sprouts fruit, and take a halfpenny per bushel toll on them. Mr. Ashby has stood there for the last seven or eight years, and done precisely the same thing.

4322. But the schedule, as I read it, gives this power: "For each stand which shall be let a rent after the rate of one shilling per annum for every square foot superficial thereof, and for such fruit flowers, vegetables, roots, or herbs, not being the growth of the holder of such stand, as shall be placed, pitched, exposed for sale, or sold on such stand, a toll of one shilling for each waggon, and fourpence for each cart in which the same shall

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"be brought." How do you, under that, get the custom of charging per half bushel?—The custom of charging for pitched goods comes in there.

4323. (*To Mr. Bourne.*) By what part of the Act is that regulated?—The Act, when read with its sections taken with the schedules, goes to this: that when stands are let, they are let at so much per stand. If a man sells goods that are not his own growth or belonging to the man upon whose stand they are sold, they are then treated as pitched goods, and the individual toll arises on the articles. It ceases to be the occupation of a stand, and he then pays toll upon the articles. Then it comes into the toll schedule, and not into the rent schedule.

4324. But he had not room for them on his own stand?—Then he takes another stand; he occupies another portion of the market.

4325. And for that he is charged this extra charge?—Yes, he pays toll upon the goods.

4326. What is the section under which that charge is imposed?—It would involve rather a legal argument to take one section with another. That class of goods comes under what is called the fruit schedule, and the fruit schedule is: "For cherries a toll of one halfpenny per sieve; for apples, pears, plums, apricots, peaches, nectarines, gooseberries, and currants, a toll of one halfpenny per sieve or bushel; for strawberries, raspberries, and other fruit of that sort, a toll of twopence for every round or head load," and so on.

4327. If Mr. Ashby had sold these articles on his own stand, what would he have had to pay?—He would have paid no toll.

4328. Is it your experience that these casual growers are gaining in number proportionately to those who describe themselves as regular growers?—Considerably, and it arises from the increased facilities which are given by the railways, because growers can now grow from a much larger area, and can send their goods to market by means of the railway.

4329. Do those men whom you admit as casual growers conduct their business solely as the sellers of what they grow, or are they also commission salesmen, or middlemen?—There are commission salesmen who represent several growers, and who do not themselves grow. They are a distinct class of men, who simply act as the servants for the moment of the growers.

4330. Are they admitted to do business in this part C, which is the yearly stand part?—They have no stands in part C.

4331. Does anyone who acts as a middleman or commission salesman stand in the part C. which is exclusively for growers?—None in part C.

4332. (*To Mr. Assbee.*) Or in any other part which is under the Act reserved for growers?—Some few do in F and G. It very often happens that a man will sell his own produce, and he will sell the produce of his father, and his brother, and his cousin, and his neighbour, in which he acts partly as a commission salesman and partly as a grower, selling his own produce; and we pitch him occasionally in sections F and G.

4333. How do you know that he is selling only his father's, or his brother's, or his cousin's produce?—He tells us sometimes that he is doing so.

4334. He may be, for all you know, a regular commission salesman?—He would probably come to me with a letter of recommendation from his father, or his brother, or his cousin, saying that if I will give him a pitching stand they will send their goods up to him to sell.

4335. It depends upon the individual's own statement?—Not altogether. I rarely set a man down upon his own statement unless it is corroborated. (*Mr. Bourne.*) The schedule says that where a grower sells other goods than his own produce he is to pay for it on the toll system. These commission salesmen are only the representatives of the growers. A grower, instead of coming up himself or sending his own personal servant to sell for him, as a man would

who lives in the Thames valley, sends to A. or to B., who he knows will be in the market.

4336. But the grower's point is that they are being ousted by the commission salesmen, to some extent?—The commission salesmen are the representatives of the growers, and I say that they are the growers. The commission salesman is *pro hac vice* the grower.

4337. (*Mr. Childers.*) Does not what you say of the rapid increase of the casual grower, and of the almost inevitable introduction of the commission salesman, point to the market being too small for the necessities of the present time?—We feel that it is, and that is why we are giving aid to the market by giving additional space.

4338. But, even allowing for the additional space, some of which has been given, and some of which is being given, is not the market for the necessities of modern London too small?—I think that when the present arrangements are completed and in full work there will be sufficient accommodation for several years to come. I think we shall meet it.

4339. But the growing railway accommodation, to which you have referred, will overtake you very fast, will it not?—You may, perhaps, know as a fact, that that is, in a measure, being met by the fact that nearly all the railway companies who are bringing in produce are creating depôts at their London stations, and creating really miniature markets.

4340. But not without great opposition from vested interests?—I cannot say that. We are not opposing.

4341. Under the Act, is the charge for a cart or waggon the same thing?—No, in certain cases the charge for a cart is 1s., and for a waggon it is 1s., but in other cases 4d. is the toll for a cart.

4342. I was referring to your answer to Lord Balfour, from which it appeared that in some cases the cart and the waggon are equally charged 1s.; is no higher charge mentioned in the Act for a waggon than for a cart?—1s. and 1s. 6d. for a waggon under given circumstances, according to the produce. The words in the schedule are:—"For every waggon containing wholly or principally carrots, whether such waggon shall be brought or placed on any of such stands, or the contents thereof, shall be placed, pitched, or exposed for sale or sold on any of such stands, a toll of 1s. 6d. For every other waggon containing fruit, flowers, vegetables, roots, or herbs, . . . a toll of 1s. For every cart containing wholly or principally carrots . . . a toll of 1s. For every other cart containing fruit, flowers, vegetables, roots, or herbs . . . a toll of 4d." There is a distinction drawn.

4343. Lord Balfour's questions which you answered pointed to the cases in which the cart was charged 1s., and the waggon, if for one day, would have been charged 1s. also. I understood you to say that if a waggon came in at 11 o'clock at night and then went out the next morning it was charged double. If the cart which was subject to the shilling toll did the same thing, would not your construction of the Act that the toll was for one day entitle you to charge 2s. for the cart also?—No; I think it rather helps to confirm the suggestion that one has made as to the origin of this practice. The cart pays the shilling, which would be apparently two tolls.

4344. I have read the clause, and I did not see the distinction between the cart at 1s. and the waggon at 1s. If the cart came in at 11 o'clock and went out the next morning, I should have thought that you might have charged, if you liked, 2s. in the case of the cart?—That has not been the practice.

4345. I am aware that it has not been the practice, but you might have done it under the Act, might you not?—Perhaps so. For instance, we are, under the Act, at liberty to charge toll upon goods that have been bought in the market and then sold again in the market; but, except in very few instances, that right has never been acted upon for many years past. Possibly it has been from the same feeling of liberal treatment.

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4346. (*Chairman.*) I think you have seen the evidence that was given here some time ago by Mr. Michael Butler?—I have.

4347. I understand there are some statements made by him the accuracy of which you do not admit?—There are several statements that are inaccurate.

4348. We wish you to have an opportunity of correcting anything which, in your judgment, is inaccurate, and perhaps you will now do so?—I have prepared some notes on Mr. Butler's evidence.

4349. First of all, what position does Mr. Butler occupy in the market?—He has no position in the market beyond being a buying agent; I suppose that would be the proper designation to give him. He buys for country markets and for country salesmen, and forwards the goods from Covent Garden Market into the country; but he is not a tenant in the market, he is not a grower, he is not a salesman; and beyond generally being a well known character from being constantly there, he has not any position in connexion with the market; and, presumably, from his training and position generally he is ignorant on many subjects that he assumes to talk about.

4350. (*Mr. Charrington.*) He said that he never sold anything?—That is so.

4351. (*Chairman.*) He has spoken about the weekly tenancies and tenant's good will; is it the fact that all shops and buildings in Covent Garden Market have been let on weekly tenancies for a very long period?—Ever since the passing of the Act. Of course we cannot go prior to that; but since that time where lettings have taken place, with the exception of those preferential growers, all lettings have been simply for the week, or by the day. The shops in the centre row have always been let by the week. The shops in the south row, the potato row, as it is termed, have been let by the week. The public houses were formerly let by the week, but a few years since a suggestion was made by the licensing magistrates of Westminster, that it was somewhat inconvenient to have to grant a licence to a house that was merely let on a weekly tenancy; and in order to remedy that special difficulty, I put the publicans upon yearly holdings in order that they might have their licences granted. With that exception everybody holds by the week.

4352. The stands, we understand, are occupied on daily holdings?—They are except in the case of the growers who have these preferential rights.

4353. Is there any objection, in your view, on public grounds to the creation of a more permanent right or interest in the holdings?—Yes, I think it would be very prejudicial to the public, because it would at once enable a monopoly to be created, and rings to be established. Men having absolute interests in any section of the market, would be able so to combine as practically to create what is commonly known as a ring; and that could only result in harm to the general community. But by keeping the tenants at the holdings which they have, which is quite consistent with the terms of the Act, merely allowing them to live as it were day by day, market day by market day, such combination is prevented because one would be enabled instantly to put an end to it by letting in other people.

4354. As a matter of fact do those shops and buildings often change their occupants?—The shops and buildings very rarely change occupants. Although the holding is merely by parole from week to week, a sitting tenant is never disturbed unless a man becomes bankrupt, which has happened in one or two instances, or in the very much rarer instance of a man being guilty of some wrong doing; and then of course the tenancy is put an end to, and somebody else is put into the shop. But there are many instances of very long tenancies. There are tenants now who were tenants when this Act was passed, who have never been disturbed from the year 1828 down to the present time. The moment the new buildings were put up they went into the new buildings, and they have remained their paying their weekly rent. I

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have in my recollection now at least four or five people of that character. Others have been there for shorter periods. One might multiply the instances where there have been no disturbances whatever, although they have been merely holding by weekly holdings, and the sitting tenants continue at the same rents. The rent has not altered.

4355. You do not admit that any goodwill exists in the case of growers?—Obviously people who bring in produce from time to time cannot have goodwill. They may have no produce to bring, and their coming is an uncertain event, and there is nothing in the character of the growers relative to the market that could create a goodwill. Nor can there be on the part of the salesmen. The salesmen who occupy the offices or shops just do their work upon their own personal character. They have no capital employed necessarily. Some of them have capital, but not of necessity. The shopkeepers in the centre row, from their long continuance there, perhaps do create a sort of interest by getting people to come to them to buy their goods; but I think it would be an unwise thing in the public interest to give them a longer holding, or to admit that there is anything like goodwill.

4356. There were questions put to Mr. Butler and answered by him as to what he called a double toll, or the taking of toll on the resale of produce; will you tell us what is the case as to that?—I think that point was raised before, but the explanation is this: that under the Act toll is paid by the vendor of the goods and not by the buyer. That was so under the Act of 1813 as well as under the Act of 1828. A buyer does not pay toll unless, as is provided by the Act, he shall again become a vendor, the meaning being very plain and obvious, that a man may buy from a wholesale vendor and afterwards remove his goods to another part of the market when he becomes a vendor in his turn, a shopkeeper, for instance, or a salesman. Then the toll is payable a second time for the privilege of selling as vendor. He does not pay as buyer, but he pays as vendor. If he bought and went away from the market and sold elsewhere he would only, in the ordinary way, pay the rent of his shop. But if he sells in the market he pays rent for the use of the market in the shape of toll.

4357. If, instead of taking his goods out of the market and selling them away from the market, he keeps them in the market and sells them a second time, there is a fresh transaction, and he is occupying space which would not otherwise be occupied, and upon that he pays?—Upon that he pays. The Act gives the right, but as a matter of practice we do not take the toll, except in a few instances. We take it on peas for instance, and on a certain class of foreign goods; but upon English goods we do not take the toll from a man, although he sells a second or even a third time. The right exists, but the right is not exercised. Mr. Butler's notion about that was obviously inaccurate from his not knowing the facts.

4358. Inaccurate as a matter of fact?—I think so. I hardly suppose that he would wilfully make a misstatement, but he did not know the practice. But he admitted that it is so in the Act. If I remember rightly, in one portion of his evidence, he said, "Oh, yes, I know they may do it, if they like," or some words to that effect.

4359. Has it been as a rule the practice not to alter the rent of a tenant when once settled?—That has been the rule, I might say the invariable rule. When once a man becomes the tenant of a shop, and as long as he remains tenant, he pays the same rent, with one or two very trivial exceptions, where a man perhaps has asked to have for his own special accommodation some improvement made needing an outlay, and then he has paid 5 per cent. additional on the cost of that improvement. But, as I have mentioned, there are some instances where men began their rents in 1828, and are paying the same rent now.

4360. When a tenant dies is preference as a rule given in the reletting to the family?—Always, if

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there is any one capable of carrying on the business; and in case of a man dying leaving a widow, if the widow is capable of carrying on the business, the practice is to let her continue the business at the same rent that her husband paid.

4361. I think you have told us that what are called evictions are very rare?—Very rare indeed, unless a man is a wrongdoer, or becomes a bankrupt. In one case a man deserted his shop, and we were obliged, in order to recover possession, to take legal proceedings. But any instance of eviction is almost unknown; I cannot remember a case.

4362. I need scarcely ask you whether you have any difficulty in finding tenants for the shops?—None whatever.

4363. (*Sir Thomas Martineau.*) In the case of a tenant dying and leaving a widow, you say that you allow the widow to continue the tenancy?—If she is capable of carrying on the business. It sometimes happens that she is not, but if she should be a capable person, of an age and with the means to continue the business, we should let her continue.

4364. Supposing that there is a son engaged with his father in the business and wishing to succeed to his father, would you give him the same privilege?—We should give him the preference, but we should adjust his rent; we should not let him continue at the same rent as his father.

4365. There would be a distinction between that case and the case of a widow?—Yes, there would be a distinction. If a man began his rent in 1828, and had been continuing at the same rent from 1828 to 1888, the rent fixed in 1828 would bear no proportion to the rent now; and therefore, although the son would have preference given to him to continue the business, it would be upon new terms as regards rent, but more favourable terms probably than a stranger would get.

4366. (*Mr. Little.*) It has been stated by Mr. Butler that toll was taken on goods not brought into the market, but sold to arrive, and consigned without ever coming into the market; is that so?—I daresay it is so; it is possible.

4367. Can you justify that?—Certainly. The goods are sold in the market.

4368. But they are not produced?—They are not.

4369. Would not that apply to all sample markets?—Perhaps it would; I do not know what the practice of sample markets may be; but in our case the language of the Act is that the tolls are to be paid on all goods that may be brought, pitched, exposed for sale, or sold in the market.

4370. But are there not some leading decisions which expressly exempt sales by sample?—There may be.

4371. You admit the fact?—I admit that we do it. Mr. Assbee suggests that the goods would come into the market, but that the salesman, in order to discharge his business and get rid of it, and be ready for another sale in the afternoon, while the things are in process of being brought up from the ship's side to the market, is actually selling them; and by the time

he has sold them they are ready to come into the market, but are not actually unloaded, but go away elsewhere. The same porter that would bring them into the market carries them away elsewhere to the purchaser's order.

4372. (*Mr. Picton.*) If a shopkeeper takes a partner, do you make any difference in the terms of the tenancy; do you consider it the same tenancy?—Not necessarily. A shopkeeper cannot take a partner, because that creates a new tenancy; it would be a new tenant coming in, because the weekly letting is to A, and if A is going to join himself to B in partnership in his business, then B would have to become a tenant, and B might or might not be a person who, in the judgment of the management, was suitable to carry on the business. Therefore, a judgment is exercised as to whether a letting should be made to B, and if a letting is made to B, it is then a new letting to a stranger.

4273. And you would make a difference in the rent?—Possibly there might be some trivial variation. If it were a rent which had been already augmented and brought up to the average rents of the present day, there would be no difference made, probably, beyond just 1s. more to mark the new letting.

4374. You say that there is no such thing as goodwill; of course that is matter of opinion; but we have had cases in other markets where no sale of goodwill is allowed, and where, nevertheless, a man by taking in a partner with a premium, and then going out shortly afterwards, secures the partner's tenancy, and sells the goodwill in that way. You are not aware of any case of that kind?—I do not at the moment recall any modern case. One has heard of something of that kind having been done in olden days in the market. Mr. Assbee reminds me of a modern case where something of that kind was attempted, and upon the matter being investigated, this money transaction for buying out, as it were, fell through, but the new man who was coming in was admitted as a tenant, though on different terms.

4375. But it is impossible for you to know whether, pecuniary considerations enter into the matter?—It is, unless it is brought to our knowledge. I was a little concerned, if I may be permitted to make the remark, at Mr. Butler's allegation, that the tenants of the market were in such a state of terror that they would not come forward to say anything. It struck me as being singularly new to hear a remark of that kind, because one's feeling is just the reverse. I am so perfectly friendly with the tenants, and they come so readily to me about all sorts of things affecting them, trivial things oftentimes, but certainly about anything that is serious, that as to any feeling of terrorism, it is out of the question.

4376. (*Chairman.*) As a matter of fact, you have not found any unwillingness on their part to come and discuss with you questions that might arise?—No, never; on the contrary, I think, perhaps, one sometimes incurs blame for being so ready to hear all the trivialities that people may have to talk about.

The witness withdrew.

Adjourned to to-morrow at 12 o'clock

At No. 32, Abingdon Street, Westminster.

SEVENTEENTH DAY.

Friday, 23rd March 1888.

PRESENT :

THE RIGHT HON. THE LORD BALFOUR OF BURLEIGH IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART, M.P.
SIR THOMAS MARTINEAU.

MR. CHARLES I. ELTON, Q.C., M.P.
MR. SPENCER CHARRINGTON, M.P.
MR. WILLIAM C. LITTLE.
MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. THOMAS MEYLER and Mr. JOHN GOLDSMITH examined.

*Mr. T. Meyler
and Mr. J.
Goldsmith.*

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4377. (*Chairman, to Mr. Goldsmith.*) You are a town councillor of the borough of Taunton?—I am.

4378. (*To Mr. Meyler.*) You are the town clerk of Taunton?—Yes.

4379. And you are here on behalf of the town council to give evidence before this Commission?—Yes.

4380. Can you tell us how many Acts there are affecting the Taunton markets, and the dates of them?—There are four Acts, the first of which was passed in 1768, the second in 1817, the third in 1833, and the fourth in 1840.

4381. Are there any unusual provisions in those Acts as regards the calling of or procedure at meetings?—Yes, section 6 of the 3rd William IV. (page 50) enacts that the trustees shall meet on the first Friday in every month, except Good Friday; but there is no power in any of the Acts enabling the trustees to call a special meeting; and the 8th section (page 51), enacts that no orders, rules, and regulations made at a previous meeting shall be revoked or altered at any subsequent meeting, unless such proposed revocation or alteration shall eventually be agreed to be made by a greater number of trustees present at such meeting than concurred in the making of any such order or determination.

4382. Who are constituted as trustees?—The trustees are a self-elected body. The number is 60. Two-thirds of the body must consist of inhabitants of the town of Taunton, and one-third of gentlemen residing in the neighbourhood of the town. They have the power of electing new trustees.

4383. There is no public popular election of any kind?—There is no popular election of any kind.

4384. And, therefore, there is no means of bringing any really effective pressure from the outside upon the body of trustees?—No.

4385. Can you tell us what powers are given by the Acts for raising money?—The first Act enables the trustees to raise the sum of 4,000*l.* The second Act empowers them to raise a sum not exceeding 10,000*l.*

4386. In addition to the 4,000*l.*?—No, I think that the words of the fourth section of the Act of 1817 (page 33), show that this sum of 4,000*l.* is included in the 10,000*l.*

4387. Do the other two Acts give any increase of power?—The third Act gives power to raise a further sum of 5,000*l.*, and the last Act gives power to raise a still further sum of 5,000*l.*

4388. In your opinion, the capital that the trustees are authorised to raise is 20,000*l.*?—Yes.

4389. How much has been raised?—I find from the accounts that in 1842 the debt was 18,000*l.*; in 1849,

18,300*l.*; in 1868, 19,400*l.*; in 1874, 18,200*l.*, and 1882, 17,900*l.* This debt has continued at the same sum down to last year, when it was reduced by the payment of 400*l.*, leaving the debt at 17,500*l.*

4390. What rate of interest is paid upon that debt?—The rate of interest has been 4½ per cent. until last year, when it was reduced to 4 per cent.

4391. Is there any provision for the contingency of the debt being paid off; what would happen if it were paid off?—The 9th George III., that is the first Act, the Act of 1768, enacts (page 17) that after the discharge of the mortgages and all debts accrued on account of the markets and buildings, the markets and buildings, tolls, rents, and profits shall remain in the trustees in trust for the use and benefit of the parish of Taunton St. Mary, Magdalene, and shall be applied by the trustees to the clothing, educating, and placing out as apprentices of so many children of the poor inhabitants of the said parish as the trustees shall from time to time direct and appoint. You will also find in that Act that further provisions are made for the education of the children. The Act of the 3rd Vict., the last Act, enacts (page 74) that when the debt is repaid nothing shall prevent the sale of provisions within a dwelling-house or shop.

4392. Can you tell us in what way the amount raised has been expended?—The first trustees bought some property in the middle of the town; they took down several old houses, and they built a market-house with arcades, and an open space in front of it, which is used for market purposes. The trustees have also erected meat, fish, poultry, and vegetable markets, over part of which there is a large room called the Victoria Rooms, which is let for public purposes. They have also built a corn exchange, and they established a pig market. But they have since sold that pig market, and they now rent other land for the purposes of a pig market. The moneys that have been raised have not been sufficient to enable the trustees to establish cattle, horse, and sheep markets, but they rent land for that purpose. I will allude further to this later in my evidence.

4393. There are, I see, further other duties laid upon the trustees, such, for example, as erecting and maintaining and lighting lamps in East Street, High Street, North Street, and Fore Street of the town, and certain other duties which seem to take priority over the payment for the clothing and education of the apprentices?—The clothing and educating of the apprentices would only come into operation if the debt were paid off.

4394. Have those other duties been discharged from time to time?—Those duties as to lighting the town were extended afterwards by the second Act (pages 33 and 39) to the whole of the borough.

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4395. Will you enumerate the whole of the duties which are laid upon the trustees?—The trustees were empowered to set out markets, to purchase the ground, to set out and convert the ground into a market, and to erect a market-house, part of which was to be for a town hall, or guildhall, for the judges of assize, and justices of the peace, to hold their sessions and assizes in, and for other meetings. The market-house has been erected; it is not used by the corporation, and it is not used for assizes or quarter sessions, but it is used occasionally for petty sessions. The first Act (pages 15 and 17) gives the trustees power to erect lamps in certain streets. The second Act (page 33) extended the lighting power of the trustees to the whole of the borough, and empowered the trustees to light the town and places adjacent with gas and to lay down pipes for that purpose; but they were not to manufacture the gas. They were also to make drains, sewers, wells, and pumps. I am not aware that that portion of the Act was carried out which provides for the making of the sewers. The duties of cleansing the streets and the public passages, and the powers to remove encroachments, and to prevent nuisances, were given by the second Act, and were greatly extended by the third Act. The fourth Act empowered the trustees to embank a stream called Stockwell stream, and to cleanse the streets with the water therefrom; and also enabled them to purchase lands for the purposes of street improvements, and for improving the waterworks for watering and cleansing the streets, or watering the market places. I think that they were unable to carry out those powers over Stockwell stream in consequence of the litigation and opposition of riparian owners below the town. I find that in 1842 the trustees expended the sum of 465*l.* in lighting the borough, and 78*l.* in cleansing the streets. In 1849 they expended the sum of 337*l.* in lighting, and 96*l.* in cleansing. In 1849 the Public Health Act of 1848 was adopted in Taunton, and great difficulties arose between the two bodies. The town was in darkness for some days, as each body claimed that it was the duty of the other to light the lamps. The matter was at last compromised, and the sanitary authority has since continued to light the lamps, the trustees paying to the local board, and afterwards to the corporation, an annual sum of 20*l.* towards watering and cleansing, and 85*l.* towards the lighting of the town. The lighting of the borough for the municipal year ending in the autumn of 1887 cost the corporation 1,072*l.* and the scavenging for the same year cost 637*l.* The prevention of nuisances, and the other clauses relating to street improvement are now carried out by the corporation as the urban sanitary authority.

4396. Under all these heads what is the contribution which the corporation receive from the market trustees in respect of watering, scavenging, lighting, drainage, and other matters of that kind?—105*l.*, and the cost last year was 1,709*l.* The trustees still receive all the tolls and advantages which were given to them to enable them to carry out those duties, but they only contribute about one-seventeenth part of the expense.

4397. Have you anything to say as to the powers given by the various Acts for regulating markets, either in comparison with those which are exercised by other market authorities, or on any similar point?—I think there are some very unusual provisions in these Acts. The first would be that prohibiting the sale of cattle and provisions without a license. At page 6 there is a very extensive provision, and I think that that section ought to appear upon my evidence. The section is: "And, for preventing any encroachment which may hereafter be made on the said market, be it further enacted, That from and after the said ground shall be set out and used as a market, it shall not be lawful for any person or persons to erect any stalls or standings, or to hold any other market within the said town of Taunton, or any part thereof, or to vend or expose to sale any corn or grain, fish, meat, poultry, or other pro-

visions, or any bulls, oxen, steers, heifers, cows, calves, sheep, lambs, swine, or other live cattle, which are usually sold in public markets, within any of the public streets of the said town of Taunton, or within the space of one thousand yards from the bounds of the said market, within the county of Somerset, except such persons as shall be licensed under the hands and seals of the said trustees, or any two or more of them, to vend or expose to sale any of the said commodities, in any shop, being part of their respective dwelling-houses, on any day of the week; or to vend or expose to sale any corn, grain, fish, meat, poultry, or other provisions, or any bulls, oxen, steers, heifers, cows, calves, sheep, lambs, swine, or other live cattle, or any goods whatsoever, within the said market, either before the ringing the bell for the opening of the said market, or after the ringing the bell for the closing thereof; and every person who shall so vend or expose to sale any of the commodities aforesaid, contrary to true intent and meaning of this Act, and shall be convicted thereof before any two or more of His Majesty's justices of the peace for the said county of Somerset, or borough and town of Taunton, shall, for every such offence, forfeit and pay the sum of five pounds, to be recovered by distress and sale of the goods and chattels of the offender; rendering the overplus (if any there be) after deducting the expense of such distress and sale, to the owners thereof; one moiety whereof shall go to the informer, and the other moiety thereof to the said trustees, to be applied to the several purposes of this Act." In the first place I would call attention to the word "cattle" which occurs there. At page 32 you will find, as regards the tolls to be taken, at the top of the page, the words "cattle and swine." The first toll is, "For every horse, mule, ass, or beast, any sum not exceeding one shilling." So that it would appear that the word cattle in these Acts includes horses. Now Taunton is a place which from its position as the key to the stag-hunting district, and to the large horse-breeding district, is essentially a place where there must be public sales of horses, and there are periodical sales of a very extensive character. If my reading of the Acts is correct those sales are all illegal; they do not take place in the markets. There are also provisions in the first Act that no person shall vend or expose for sale any corn or grain, fish, meat, poultry, or other provisions within the district, except such persons as shall be licensed under the hands and seals of the trustees to vend or expose for sale any of the said commodities in any shop, being part of their respective dwelling-houses. Now there are at the present time several persons licensed by the trustees to sell those commodities; and they do so in shops which form no part of their dwelling-houses. In the year 1849 there appear to have been two butchers licensed to sell meat, each of whom paid either 1*l.* 5*s.* or 15*l.* for his license. The accounts are rather obscure, so I will put it in that way. At the present time there are three butchers' shops in the town; each of those butchers pays 35*l.* a year for his license, and the trustees refuse to license any other shops. Application has been recently made for a license; the premises were eligible, the party applying was a member of the corporation, and a gentleman of capital and position in the town, but he was refused a license. Until a few years since there were no fishmongers' shops in the town; there are now three. Each of those three pays 10*l.* a year for his license. Some years ago persons selling other provisions had to pay different, perfectly arbitrary sums. There is no limit under the Act, and the trustees charged exactly what they thought proper. One gentleman informs me that he paid 10*l.* a year for his license to sell potatoes and other provisions. In another case a greengrocer paid 4*l.* a year; but he continually remonstrated with the trustees and gave them a great deal of trouble, so they reduced him to 3*l.*, to 2*l.*, and at last to 1*l.* At the present time if you will refer to the answers

given by the trustees you will see that there are, in addition to the butchers and fishmongers I have mentioned, 10 grocers, 9 corn merchants, and 54 greengrocers licensed in the town. I believe that in all Acts it is usual to limit the amount of tolls, but in Taunton the powers of the trustees, except as to cattle and swine, are unlimited. There is no power under the Act to license hawkers, or to permit them to sell in the streets; but notwithstanding that I am informed that the trustees receive certain sums from the hawkers, the persons who bring in vegetables and other things, and who hawk them about the town. Mr. Goldsmith will give you information as to cases of hardship which have arisen; but I will refer you to two that have occurred recently. I think, since Mr. Goldsmith has ceased to be superintendent of police. In April, 1884, a summons was issued against a general dealer in Taunton for selling eggs; the magistrates dismissed the case, and held that eggs were not provisions. In the month of July, 1884, a summons was issued against a tradesman for selling provisions within his shop without a license. The provisions were potatoes. The magistrates dismissed the case: they held that potatoes were not provisions.

4398. Does the word "provisions" occur in the Act?—Yes, on page 6. The market trustees appealed from the decision of the magistrates, and Mr. Justice Hawkins said, "If potatoes are not provisions I should like to know what they are." Those licenses in the year 1842 produced 15*l.* a year; in 1849, 22*l.* 10*s.* The accounts for the year 1868 do not show the licenses and tolls separately in that year. In 1874 the butchers paid 70*l.* a year, and other persons 62*l.* In 1882 the three butchers paid 105*l.*, and other licenses produced 58*l.* In 1886 the butchers still paid 105*l.*, and the other licenses had risen to 67*l.* a year. If you will refer to page 7 you will see that the penalty for an infringement of the provisions of the Act is a fine of 5*l.* Now, the Summary Jurisdiction Act empowers the court, if the fine be imposed in respect of a first offence, to reduce the prescribed amount thereof. In their prosecutions, since that Act has been passed, when they are prosecuting old offenders, they do not allege the previous conviction.

4399. They do exercise the powers which they have with justice tempered a good deal with mercy?—Occasionally. Then in the returns made by the market trustees they speak of 54 greengrocers' shops; but there are several other shops in which tripe, liver, salted meat, and other matters are sold, and according to their return they charge no license for those articles. I will produce to you two licenses, in order to show you how they are granted (*producing them*). One of these is a license for the sale of food and vegetables in a shop, and the other is for the sale of marketable provisions in a shop. The provisions of these Acts, if they were carried out strictly, would prevent any man from selling a pig, either dead or alive, except in the market. As the markets have been closed during the last two or three years for long periods, a man would be unable to dispose of his pig, either by selling it alive or killing it and selling it dead. The markets have been closed in consequence of swine fever.

4400. (*Mr. Little.*) That would not prevent a man's killing his pig at home, would it, and then selling the carcase in the market?—He would have to turn butcher in that case. Then he would have to hire a stall. The Slaughter-house Acts would interfere, perhaps, with his doing it.

4401. (*Chairman.*) Why, may I ask, do you take pigs for the purpose of illustration?—Poor people, who do not keep cattle or sheep, or anything of that kind, and who have no land, keep pigs in their gardens, and those pigs eat their garden stuff.

4402. I think it is enough for your purpose to call attention to the extremely drastic provisions of the Act without giving us illustrations of that kind. I should like to know very much what the opinion of the inhabitants of Taunton is about these powers, and

how they come to have borne them so long?—They have been dissatisfied with the working of these market Acts, and with the restrictions on trade, and they have felt the want of a fixed scale for tolls and licenses for many years; and in 1847 and 1869 Bills were brought before Parliament for the better government of the town. The Bill in 1849 was rejected by the House of Lords, because they would not interfere where a charity was concerned. In 1869 the markets were leased; the lessee endeavoured to carry out the Act stringently, and indignation meetings were held. Since that date the market trustees have managed the markets themselves, and have endeavoured to carry them on as leniently as possible; but still there have been public meetings held and the corporation have taken up the matter. The town was incorporated in the year 1877, and the movement for incorporation was, I think, successful in consequence of the feeling against these Acts. The inhabitants were of opinion that there ought to be one governing body, and that the markets ought to be vested in them. It was understood that the corporation would take them over, and they have carried resolutions with that object.

4403. Is that all that the corporation have done with a view of acquiring the markets; have they taken any other steps?—In 1879 they took the opinion of Mr. R. S. Wright, who advised that the effect of the Public Health Act, 1872, section nine, and the Sanitary Laws Amendment Act, 1874, section four, had transferred to the corporation all the property of the trustees so far as it was applicable to sanitary purposes; that the trustees had no longer any interest in the market estate and tolls except for maintaining the markets, and paying off the debts; that all moneys not necessary for this purpose belong to the corporation for sanitary purposes; and that the parish would not be entitled to any part of the surplus, except such as might remain after paying all the sanitary expenses of the borough.

4404. Did the corporation take any action upon that opinion?—The corporation upon that opinion asked the market trustees to transfer their rights, and they have pressed them since to do so, but unsuccessfully.

4405. The corporation did not feel themselves in a strong enough position legally to attempt to enforce what they believed to be their rights?—No. Mr. Wright advised the corporation to bring an action in the Queen's Bench Division claiming a declaration of their right. The trustees were asked to concur in this application, but they declined to do so; and adverse proceedings were about to be taken when this Commission was appointed.

4406. Nothing has been done then between 1879 and 1888, except taking this opinion of Mr. Wright?—No. The difficulty would be as to the property, whether Mr. Wright's view was a correct one, that the markets belonged to the town council, or whether they belonged to the trustees. We were advised that we could not bring a Bill into Parliament until the question of title had been settled.

4407. What has been the consideration which has deterred the corporation from proceeding upon Mr. Wright's opinion to endeavour to force the trustees to give up their position?—The great expense that would have been attendant upon procuring an Act of Parliament as long as the trustees would have had a *locus standi* to oppose that Bill in Parliament.

4408. But Mr. Wright's opinion, if I understood you rightly when you were reading it, was to the effect that the Public Health Act which was mentioned transfers the rights of the market trustees absolutely to the corporation?—Subject to the powers of the trustees to maintain the markets. We have pressed upon the Local Government Board the desirability of some general Act of Parliament.

4409. The fear of heavy litigation and expenses has been one main hindrance to your taking independent action?—Yes.

4410. And you were anxious that this opportunity should not pass without something being done to help

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Goldsmith.

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you?—Yes. From the returns that were made to Parliament in connexion with market rights and tolls in 1886, it appears that Taunton is the only municipal borough in England where the market rights are vested in market trustees acting under special Acts. Bristol and Tiverton are mentioned as places where the markets are vested in trustees, but not with such powers and provisions as the special Acts give to the trustees in Taunton.

4411. Then to put you in a proper position you think that other legislation is required?—I do.

4412. What rate of interest do you pay for borrowed money?—We pay $3\frac{1}{2}$ per cent. to the Public Works Loan Commissioners, and we have lately borrowed of private individuals at $3\frac{1}{2}$ per cent.

4413. If you were in a position to exercise the rights of the market trustees you could obviously borrow money at a much less rate of interest, and thus place the inhabitants of the borough in a much more favourable position?—Yes, we could borrow at $3\frac{1}{2}$ per cent.; and an annual payment of 5*l.* 8*s.* 9*d.* for each 100*l.* would repay the principal and interest in 30 years.

4414. We understand that you have information that the cattle, horse, and sheep markets, which you mentioned just now, have not been established by the trustees, but, for the purposes of which land was rented, belonged to one of the gentlemen who were acting as trustees, and that since he acquired those markets large sums of money have been expended upon them. Has that been from the market funds?—Yes; but it is only right that I should state that those sums were not voluntarily spent by the trustees. The Government inspector insisted upon the town council, as the local authority, closing the markets unless the floors were made of hard material, so that they could be washed for sanitary purposes. Notices were accordingly served upon the trustees, and the work was done under compulsion.

4415. Do you wish to advance any information about these transactions to the Commission as to the hiring of the land from one of the trustees, or the value of the services rendered for the money paid?—I think it is my duty, as a public official, to mention the circumstance to you. There have been several letters upon the subjects in the public newspaper. In 1866 one of the trustees purchased the cattle and the sheep markets; he died, and in 1876 his devisees sold those markets to another market trustee for 1,025*l.* At that time they were let for a term which would have expired in 1883, at 58*l.* per annum. Two years before this lease expired, the trustees surrendered it, and they took a fresh lease at 100*l.* per annum. I wish to express no opinion whatever about the transaction as to its legality, or otherwise. I simply bring these figures before you, which have appeared in the public prints.

4416. Is that lease still current at the present time?—It is. I believe it is for 21 years; I do not know whether it is determinable.

4417. Is the land in itself suitable for a market?—Mr. Goldsmith will give evidence upon that points. So far as size and position are concerned. It appears to be suitable, and is in the middle of the town.

4418. Is there anything else that you wish to say about that market?—I would merely mention, in conclusion, that the income of the trustees last year was 2,043*l.*, and that each 1*d.* in the pound upon the rateable value of the borough produces 240*l.*, so that, assuming that all tolls eventually come out of the consumer's pocket, the income of the trustees represents a rate of 8*½d.* in the pound.

4419. But out of that 2,043*l.* the interest of their debt would have to be paid, I suppose?—Certainly.

4420. What surplus was there over after all their expenditure?—There was no surplus last year.

4421. Have you any remarks to make about the accounts?—No.

4422. (Mr. Elton.) You say that the borough was incorporated in 1877; how was it incorporated?—By charter.

4423. Have you a copy of the charter?—I have (*producing it*).

4424. Do you say that before that time the town was not incorporated?—The town was originally incorporated in 1627, in the reign of Charles I. That charter was taken away by *quo warranto* in 1660, and in 1677 a new charter was granted; but that ceased in 1792, owing to the neglect of the corporation to fill up their numbers.

4425. Was that on a proceeding in *quo warranto*?—No. Legal proceedings were taken, and it was held that as they had not filled up the number in accordance with the Act the charter had died out.

4426. Do you know whether it was considered to have died out from long neglect?—There had been a neglect.

4427. Was it 30 or 40 years of neglect?—Not as much as that. They had not filled the number up for some few years.

4428. The market trustees' power over the town, you think, was going on at the same time as the old corporation powers were going on?—It was, but the corporation had no property and no rating powers.

4429. To whom do you say that the town hall or guildhall that was used by the corporation of the borough of Taunton belonged?—Before the first market Act was passed the markets belonged to the Bishop of Winchester, who was lord of the manor, and there was a small market house which belonged to the Bishop of Winchester, and which was used as a town hall or guildhall.

4430. Have you any reason for knowing that?—I am steward of the manor, and I know that was the case.

4431. Are there entries in your papers about its belonging to him?—No; I only know it from this Act of Parliament.

4432. At any rate the corporation seems to have had the use of the town hall or guildhall?—Yes, but it did not belong to them.

4433. What became of the site of it?—The site of it is now thrown into the market house and markets.

4434. Then there was an old corporation governing the town, apparently in some imperfect way, and then those Acts were passed, as appears by the recitals and the titles, not only for establishing a market, but as establishing a kind of local government or improvement commissioners as well?—It was so.

4435. Those market trustees are much more than market trustees by the Acts of Parliament, are they not?—Yes. The corporation had no power at that time over nuisances.

4436. That would be managed by the court leet, I suppose?—That would be so.

4437. Is that court still held?—The court leet is held but it exercises no criminal jurisdiction.

4438. Like other courts leet; but still there is that sort of local government still going on as well? Do the court leet inquire into weights and measures, and bread and ale, and all that sort of thing?—No. The market trustees have scales in the market.

4439. But does the court leet do anything at all?—No, nothing practically.

4440. It is obsolete. It would be still more curious if there were three bodies governing the town. I understand that these Acts were first for holding a market in the town of Taunton; secondly, for preventing the holding of markets in the streets of the town; and thirdly, for local improvement purposes?—Yes.

4441. The market was apparently by the Act of Parliament held all over the town in all the streets?—In the streets.

4442. Therefore this Act was to contract the boundaries of the market. That state of things is continued by the other Acts; they still are Acts not only for regulating the market but for local improvement purposes, are they not?—They are.

4443. For cleansing the streets and preventing nuisances, and for the lighting of the town and other

duties?—Yes, all which duties are now transferred to the corporation as the urban sanitary authority.

4444. They should be, at any rate. There is litigation threatened about it, is there not?—Yes, they are transferred.

4445. You would not wish us to conceive of the market trustees only as a body of market trustees, but rather as a somewhat out of place body of improvement commissioners?—The Acts throw these duties upon them.

4446. They elect the body, do they not, as well for the purpose of improving the town as for the purpose of regulating the markets?—Yes, but their powers are taken away by the Sanitary Acts.

4447. Therefore you think that they may be reduced to a market authority by these Acts of Parliament?—They are.

4448. If we find a market authority governing the town, which might be in accordance with many ancient precedents, yet it would be a singular state of things to be going on down to the present time; but the Acts of Parliament which you have put into our hands show that they were not only market authorities but also governors of the town?—Similar to improvement commissioners.

4449. With regard to the provisions I see that the clause to which you directed our attention is rather peculiar. It is for the purpose of preventing any encroachment on the market that persons are not to vend or expose for sale certain things, and then any person who offends against it is to be fined, not if he sells simpliciter, but if he sells "contrary to the true intent and meaning of this Act." That seems to establish a distinction. It would appear at first sight as if a sale which was not an encroachment on the market in the legal sense of that word would not be subject to penalties; is that how you read it?—It is for every sale.

4450. It does not say so; it says, "Every person who shall vend or expose to sale any of the commodities aforesaid contrary to the true intent and meaning of this Act." If you look to what the true intent and meaning of the Act is it is for preventing any encroachments on the market. Does it occur to you that that might be properly read, or that it would be an arguable construction that that would mean, any sale which interfered with the market, because of course there might be sales which did not interfere with the market?—I think not; the words which follow are so very precise.

4451. To which words do you refer?—"It shall not be lawful for any person or persons to erect any stalls or standings," and so on, "or to vend or expose to sale" certain things; and that "every person who shall so vend or expose to sale" those things shall be subject to a penalty.

4452. Only if it is contrary to the true intent and meaning of the Act. However, you do not think anything of that point?—I merely submit that the true intent and meaning of the Act is shown by the express provisions as to what is lawful and what is unlawful.

4453. Then there is the provision with regard to corn or grain, fish, meat, poultry, or other provisions; I suppose it might have been contended before the magistrates that the word provisions meant, according to the rule *ejusdem generis*, corn or grain, meat, poultry, fish or provisions of that class?—That has been argued. The magistrates as a rule are inclined to take a very merciful view of the words of the Act.

4454. I meant merely as a legal point?—It has been submitted to them.

4455. Have they acted on that construction?—I believe that generally they have, especially when the prosecutions under this Act have been conducted by a public informer who would be entitled to one half of the penalty.

4456. However, they construed the Act in that way. That might account, might it not, for the potato and egg cases that you mentioned, potatoes and eggs not being of the class of fish, meat, or

poultry?—Yes, but the Queen's Bench Division have held that the word "provisions" must mean potatoes and other articles of that kind. It was decided by the Queen's Bench Division that potatoes are provisions under the Act.

4457. The licenses which are granted you say are granted in an irregular manner, sometimes to one person at one amount, and to another person at another amount?—It was so.

4458. Do you say that of late years there have been such variations as you mentioned in the case of the troublesome man who you said got his license reduced from 4*l.* to 1*l.*?—There were such variations a few years back, but I have been informed that some licenses were reduced at the beginning of this year, and I presume from that that they are now endeavouring to make a fixed charge upon each shopkeeper, other than a butcher or a fishmonger.

4459. Is it considered by you that all the applicants are treated upon the same footing, or is there favouritism or variation?—I do not think there was favouritism; I do not allege that.

4460. Then the only difference in the amount of the licenses is according to the difference in the trade?—Men in the same trade were paying very different sums a few years since.

4461. Within the last 10 or 20 years?—Within the last 10 years.

4462. What would be the reason for that variation in the amount of the license to deal in these commodities?—A shopkeeper would have to treat with the trustees to get his license under as favourable conditions as he possibly could. There was no fixed rule 10 or 20 years ago.

4463. And there is nothing to fix it now, except that it happens to be the practice?—There is nothing that fixes it.

4464. Even in the provision trade they allow some sort of provision traders, the tripe and salt meat sellers, I think you said, to deal without a license?—I merely make that statement in consequence of their return, in answer to question 17. They mention no shops, except grocers, corn merchants; and green grocers, butchers, and fishmongers are a matter of course.

4465. Did you say that hawkers are allowed to sell without a license?—They pay a certain sum, I believe, although there is no power to charge them.

4466. They could be charged, I suppose, under the clause on page 6, as selling other provisions?—The trustees, in their return, say that they think it desirable that powers should be given to them to permit hawking in the public streets, and to take tolls for the same; they have not at present this power.

4467. You have no experience yourself about it?—No, I have never been concerned in any prosecution under the Act.

4468. Has there been any trial to ascertain whether the horse sales are within the meaning of the sales of cattle?—No.

4469. But I see that they do pay, as you pointed out, a toll for selling horses?—In the market.

4470. And you put it as an irregularity, or as a singularity, that there are larger sales of horses allowed without a license in the other parts of the town?—Yes, if my reading of the Act is correct, that the word "cattle" includes horses.

4471. The Acts of Parliament, I understand, were to prohibit the holding of any other markets, within the town of Taunton, except those held by the market trustees?—That is so.

4472. It is mentioned afterwards that there is a certain old market still going on, which descended to the trustee who leased the ground to the market trustees?—Yes.

4473. How was it that that old market was going on?—It is not going on. It was going on when they first obtained their Act. The Bishop of Winchester, as the lord of the manor, has the power of holding markets.

4474. You did not mean that that cattle market, which they hired, was still used as a cattle market

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within recent times? I understood you to say that they acquired the cattle market from a person who had it by descent, or devise, or something of that sort. Did you mean only the site of the market?—The site of the market. By the term cattle and sheep markets, I meant the site of the cattle and sheep markets.

4475. You did not mean that there was a cattle or a sheep market going on there?—No.

4476. Do you say that they have no power to establish a cattle and sheep market on that site, and that it ought to be where the other things are sold?—No, they have power to set out markets. The objection that has been taken by several persons is that they have no power to rent the site of a market, and that they have only power under the Act to purchase.

4477. I thought that they had power to establish a cattle market?—I do not at all myself as a lawyer take the point. The words used in the Act are "set out and establish a market."

4478. At any rate, you put it to us that there might be a difference of opinion about what establishing a market might be. It might be established, perhaps, on leasehold land as well as freehold land?—That is so.

4479. Putting it shortly, you tell us that the town is, as a matter of fact, whether rightfully or not, partly under the government of an old body of improvement commissioners, that is to say, the market trustees, and partly under the modern corporation?—Yes, the powers are given to the trustees.

4480. There are two local government bodies in the place?—That is so; the trustees not exercising the powers given them by the Act, not being legally enabled to do so since the Sanitary Acts came into operation.

4481. We see the inconvenience, no doubt. One of those bodies happens to have a charitable trust under its jurisdiction?—Yes.

4482. Was the point about the charity put before Mr. Wright when he gave that opinion?—Yes.

4483. I presume that the town council could not administer the charity. Did he say that the town council took the property as vested in them, subject to carrying out the charity?—According to his opinion, the charity could not take anything until the whole of the sanitary expenses of the borough had been first paid out of the tolls and licenses established by this Act.

4484. He considered that the property was vested in the town council, subject to an ultimate trust for a charity?—Yes.

4485. He thought that the town council were charity trustees, then?—No, he thought the market trustees were.

4486. He thought that the town council had property, the balance of which was to be paid to a charity?—He did not absolutely say that it belonged to them.

4487. I thought you said that it was vested in them; because that might account for the whole of the difficulty of the 10 years passing without anything being done. You see the difficulty that arises in my mind, that a town council of the ordinary kind, with an estate vested in them which is subject to a charity, would be a very abnormal state of things. Has there been any inquiry by the Endowed Schools Commissioners, or by the Charity Commissioners, or by any similar body, with regard to the educational parts of the charity and the doles, or apprenticeship funds belonging to the market trustees?—I do not think there are doles. No scheme has been proposed, and no inquiry has ever been made upon the subject, because I do not think it would arise until the whole of the debt is paid off.

4488. No inquiry has been held on the subject by the Charity Commissioners or by the Endowed Schools Commissioners?—No, no public inquiry.

4489. I see that the latest Act for governing Taunton contemplates the removal of this prohibition of trading as soon as the debts due and owing of, and the principal and interest of the mortgages, are paid

off?—Only as regards the selling of provisions, corn, or grain, fish, meat, poultry, or other provisions.

4490. Is it known when the market debts are likely to be paid off in the ordinary course?—No.

4491. Are they large?—They amount now to 17,500*l*. Some years ago it was calculated that they might be paid off, if the markets were managed well, in 190 years.

4492. If the property is supposed to be vested in the town council, I presume it is supposed to be vested in them subject to these debts of 17,500*l*.?—Yes.

4493. Have your town council considered how they would pay it off? Do they consider the 190 years' period a proper one, or have they made any other plan?—They would not be empowered to borrow any money unless it was repayable within a certain term of years.

4494. You have considered this point, of course: could they borrow from the Public Works Loans Commissioners or from any body of that kind to extinguish this debt?—The Public Works Loans Commissioners at the present time have not power to lend money to sanitary authorities like a corporation except for sanitary purposes at their reduced rate of interest. They can lend money at 5 per cent., I believe, to any body.

4495. Do you know that by the 106th section of the Municipal Corporations Act of 1882 there is power to the Treasury to consent to loans for public purposes to municipal authorities?—Yes, I think we could borrow either as a municipal corporation with the consent of the Treasury, or as a sanitary authority with the consent of the Local Government Board.

4496. And it would conceivably be possible that if they acquired or had acquired this property burdened with debts, the debts might be released, so that the freedom of trade might be established, as contemplated by this latest Act?—The freedom of trade would only extend to the shops.

4497. There would be a limited freedom of trade?—Yes. The corporation have no wish to do away with tolls.

4498. I did not mean that; but the shopkeepers would be allowed to sell goods in Taunton if the town council could devise a plan for getting a loan to pay off the debt?—Certainly. I think that would be the wish of the corporation.

4499. And the object of the Act of Victoria would be carried out?—Yes.

4500. And it might be that still more freedom might be given; but you would not wish that freedom to go so far as doing away with tolls?—No, if the markets were vested in the corporation they would at once deal with the Charity Commissioners for the purchase of their reversion in the charity.

4501. I do not suppose that the Commissioners could sell a charity, but they could make a scheme which could be turned into an Act of Parliament, for separating the charitable part of the endowment from the municipal part, could they not?—Yes.

4502. Supposing that the town council got the market, would you have more tolls than would be sufficient to keep and maintain the market accommodation, and, if so, would you be in favour of the tolls remaining so as to produce a possible surplus?—We should wish to have fixed tolls as they have in other markets; and we should hope that beyond paying the amount of the interest, we should be able gradually to pay off the whole debt in a limited number of years.

4503. Have you considered that, imperfectly as the provisions of the Acts may be administered, at any rate there is power of taking tolls for the sale of horses? Would you wish that to be strictly carried out, or would you wish persons to be allowed to sell horses in repositories, and so on, in the town, as they perhaps do now? Is it your view that the market, if transferred to the town council, or if it belongs to the town council, should include all sales of horses or would it be the policy that horses, like other things,

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should be sold in private people's houses and yards?—We should only wish to charge tolls for horses sold in the market.

4504. And that would apply to all property sold in the town. The policy would be that people might have free sale unless they wished to sell in the market?—*Bond fide* sales, but not in derogation of the market rights. For instance one person may wish to sell a horse to another.

4505. What would you do in the case of horse auctions where a large number of horses are sold?—There are large auctions held at present outside the market.

4506. Do you think that that ought to be done in the town council's market, or that there ought to be freedom to sell in those repositories or yards?—There is a saying "First catch your hare."

4507. I thought you had an opinion, saying that you had caught it, and got it vested in you. It is what they call your own proper hare.

4508. (*Mr. Charrington.*) Before the charter of Charles II., was there any kind of market at all in Taunton?—I should say that there was a market then which belonged to the lord of the manor. It was held in the streets.

4509. Does that go back to a very distant period?—Yes.

4510. (*Mr. Elton.*) It goes back almost to the eighth century, does it not?—Yes, to the Saxon period.

4511. It is supposed, is it not, that the market rights in their original shape went back to Anglo-Saxon times, the charter having been granted to a Bishop of Winchester in some very early period before the Norman conquest?—Yes.

4512. (*Mr. Charrington.*) But under the present Acts the charities have not benefited in the least, because there has been no surplus?—No.

4513. That becomes a dead letter then?—Yes, they would not be benefited until the whole debt is paid off.

4514. And it does not seem likely to be paid off?—I am afraid not.

4515. Have you, as steward of the manor, any early records as to the origin of the market rights?—No, I have not, and I have no records as to fairs either. I have endeavoured to obtain them, but I have been unable to do so.

4516. Were the rights of the Bishop of Winchester purchased?—The rights of the Bishop of Winchester were purchased by the trustees under the first Act.

4517. Are you aware what was paid for them?—No. The market accounts probably show the amount.

4518. (*Mr. Little.*) If you will refer again to the account of the year 1886, I think you will find that there was a balance of 244*l.*?—Yes, but then the balance brought forward on the other side is 285*l.*

4519. You mean that there was no profit that year?—There was none.

4520. But there was at that time a balance of 244*l.* when the liabilities had been taken into account, and that was really the accumulated balance of about three years, was it not?—Yes; there is a nett balance of 244*l.* 5*s.* 5*d.*, but not accruing during the year 1886.

4521. It seems to be a balance which had accumulated during three years?—Yes.

4522. There was a balance of 119*l.* 9*s.* in 1885, and by 1887 there was a balance of 244*l.* 5*s.* 5*d.*?—Yes, those figures are, no doubt, correct.

4523. In the last year there had been an extra expenditure of 159*l.* on the sheep market; was that what you referred to as having been ordered by the town council?—Yes, those sums were spent.

4524. That would tend to increase the value of a market that is hired, would it not?—Yes.

4525. It would make the property more valuable?—More valuable as a market. If it ceased to be used as a market, there would be simply the amount of bricks and iron-work that is taken there.

4526. On the whole, is it your opinion that the powers of the trustees, as they are exercised, are

restrictive of trade?—They are, certainly; and that is the opinion of the large majority of the ratepayers, and of the tradesmen particularly, in the town.

4527. And the corporation is desirous of acquiring those rights?—Yes.

4528. Compulsorily?—Yes, and they are perfectly willing to take over the obligations at the same time.

4529. They could borrow the money more cheaply than the trustees, could they not?—Yes.

4530. And they could probably manage the market more cheaply, inasmuch as they have a staff of their own, and probably the corporation could manage the market with a small increase of their ordinary staff, whereas there have now to be two sets of officers in the borough?—I think they could.

4531. Then there would be economy in two ways, and so you would have a part of the revenue applicable to paying off the debt?—Yes. The salaries are not at all excessive that are paid at the present time by the trustees.

4532. Perhaps not; but two authorities and two sets of servants cost more than one?—Yes. If we could borrow the necessary money, and get power to repay it in 50 years, at 3½ per cent., we should have to pay the sum of 4*l.* 5*s.* 5½*d.* for every 100*l.*

4533. (*Sir Thomas Martineau.*) Taking it broadly, do you think that borrowing at the rate of interest which your corporation could borrow at, and setting aside what is not now set aside, that is to say, the proper amount for the repayment of principal in a sinking fund, the revenue would be sufficient to meet the expenses, without your coming upon the rates of the borough?—Not quite, unless additional time were given for repayment. At present the Treasury cannot, and the Local Government Board will not, sanction loans repayable for a longer period than 30 years. At 3½ per cent. it would take 5*l.* 8*s.* 9*d.* per 100*l.* to repay principal and interest in that time, and to do this, a small amount would have to be raised by rate at first in order to pay off the debt and get a future benefit to the town. If, however, a general Act or a Provisional Order were obtained, 50 years would be allowed, and in that case the tolls would be quite sufficient to repay principal and interest at 4*l.* 5*s.* 5½*d.* per 100*l.* for 50 years, and also to improve the markets.

4534. Then you would not gain in the relief of the rates, but rather the reverse; but on the other hand, you would gain in the greater freedom which you would have in the administration?—Yes, the freedom in the administration, and the freedom of the town from these charges.

4535. And the administration would be in the hands of the representatives of the people, who would naturally know more about the wants of the town than a body which was not representative?—Yes, and that representative body would endeavour to manage the markets in the most economical manner.

4536. Have you considered what legislation would, according to your view, meet the case of Taunton; would it be sufficient to take a compulsory power for purchase by the corporation, as the governing body, from the market trustees?—I think if we had compulsory powers of purchase, it would perhaps be necessary afterwards to obtain a special Act limiting the amount of tolls to be paid and regulating the markets, unless some general scheme was instituted by this Commission for the management of markets generally throughout the kingdom.

4537. With reference to the provision as to the apprenticing of the children; is the parish of St. Mary Magdalene the whole borough of Taunton?—A part only of the parish of St. Mary Magdalene is in the borough of Taunton. I am speaking of the parish of Taunton St. Mary as it existed when the Act passed. By recent legislation, as you are probably aware, parishes have been divided, and the parish of St. Mary Magdalene is now divided into Taunton St. Mary Magdalene within the borough and without the borough.

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4538. (*Chairman to Mr. Goldsmith.*) We understand that you have resided in the town of Taunton for 32 years?—Yes.

4539. From 1856 to 1884 you were superintendent of police, were you not?—I was.

4540. And you have had frequent opportunities of hearing the complaints of the inhabitants and others at Taunton?—Yes, that is so.

4541. While there, you have at times purchased your meat and provisions at Wellington, seven miles away from Taunton, for the sake of getting it cheaper, have you not?—I have.

4542. Is there any reason that you know of why it should be cheaper at Wellington than at Taunton, except the freedom from the market tolls?—It is a freer market, and there are more butchers residing in Wellington than in Taunton.

4543. Do other Taunton people resort to markets outside Taunton for the purposes of getting their provisions?—Oh, yes, many.

4544. At the present time?—At the present time.

4545. Do you wish to make any statement about the fines that have been inflicted?—The only reason why I give this is that complaints have been so frequent in the town on the part of people coming into the town offering goods for sale, who were not aware that they were liable to any punishment. For many years persons were summoned for sending, exposing for sale, or selling in the streets, potatoes, fish, meat, and some for selling in their houses, or offering for sale, corn. In 1857, 8 persons; in 1858, 12 persons; in 1859, 3 persons; in 1860, 3 persons; in 1861, 2 persons were summoned, all of whom settled with the lessees, the tolls being let by the trustees. In 1864 the trustees collected the tolls (by their servants), and two farmers, one from Bratton Clovelly, Devon, and from Glastonbury, were fined 5*l.* each, the former for vending to a licensed corn dealer at his shop corn for sale, and the latter for offering for sale steers in one of the streets, both of whom were entirely ignorant that they were offending. 5*l.* was the lowest penalty the justices could then inflict by the Market House Acts (hence the summonses issued by the lessees being settled, and no doubt they made the victims pay). In 1868 the trustees resolved that the three butchers who were licensed to sell in their shops, should also pay for a stall in the market every day, whether they used it or not. Messrs. Hardwell Brothers, who declined to use the market stall or pay for it were, on 20th May 1868, fined 5*l.*, and on 16th September 1868 fined three fines of 5*l.*, total 15*l.*, and on the 16th December 1868 fined 5*l.*, and five other summonses of the same date for various days were dismissed. They were summoned again 3rd February 1869 for six offences of vending, selling, and were fined 5*l.* for each offence and costs, amounting to 31*l.* 14*s.* 6*d.* On the 1st of November 1871 a man was fined 5*l.* for hawking sprats in the streets, although the trustees have no power given them to exact tolls for street hawking. I have known their collectors to receive, on demand, money from persons offering for sale vegetables grown in their own gardens; and so stringent are the Market House Acts of Taunton that a man cannot sell a pig he fattens, a head of cabbage he grows, or an egg his poultry lays (that he does not require for his own use) within the 1,000 yards of the market house, without being liable to be summoned and convicted.

4546. Do you wish to add anything else?—With regard to the market itself, it is held at the present time in a public street; there is a public thoroughfare right through it; and there has been many complaints that persons coming into the town are obliged to drive through this place where horses are being galloped up and down through the street on the Castle Green.

4547. Was the open space provided as a street or as a market?—There was a public street originally through a portion of it before ever it was a market.

4548. Did the market trustees provide an open space for a market, and has that space since that time

become partly a public thoroughfare?—It was a public thoroughfare long previously.

4549. Was there a thoroughfare over a part of it previously?—There is a thoroughfare through the centre of the market; it is a public highway.

4550-1. The trustees provided land upon each side of what was formerly a public thoroughfare for the purpose of a market?—I apprehend that in days gone past the whole was a public space with a public highway going through it, right or left. When I first went to Taunton there were stalls and shows, and things of that sort held during the time of the assizes upon the right-hand side. That was unenclosed from time immemorial, I suppose.

4552. You are not speaking of things which you know of your own knowledge?—I know of my own knowledge that it was an open space in the sheep market, which was unenclosed for many years until the last few years, and that people trained horses here. I have seen horsebreakers exercising horses there and children playing football and other games, until within the last few years, when it has been enclosed and paved by the market trustees.

4553. The paving was done, was it not, by order of the Privy Council, for sanitary purposes?—The inspector of the Privy Council did find fault on two occasions during the time that I was superintendent with the filthy state that the market had been kept in, and required them to cleanse it better.

4554. (*Mr. Elton.*) The market which you were last speaking about is the sheep market, which is not held in the regular market place?—It is now a regular market place; it has been enclosed by iron railings.

4555. Is it part of the ground of which the trustees took for establishing a market?—Part which they hired.

4556. That is part of the hired ground and not part of the parliamentary market piece which we have heard about?—No, it is not.

4557. It is a supplementary place which they have hired?—Yes.

4558. The old market place which was established under these Acts is properly described, I think, in the Acts as an open space surrounded by a street?—It is an open place which we now call the Parade.

4559. It is the space described in the Act of Parliament as a triangular space surrounded on all sides by Fore Street, now called the Parade, formerly called the Island, and Cornhill?—Quite so.

4560. And the place which you told my Lord about is the sheep market, which is a separate place, and which is a supplemental spot hired by the trustees?—The sheep and cattle market also.

4561. The cattle market is enclosed by walls, and the sheep market has some railings put up round it, has it not?—It has.

4562. Are there railings all round it?—It is divided off from the high road.

4563. (*Mr. Charrington.*) You mentioned in your printed statement that licensed butchers were required to take a stall in the market, but that on their refusing to do so they had been fined 5*l.* by the magistrates?—That was some years ago. The market trustees altered the regulation, and they desired to compel the three butchers that they had licensed to pay also for a license for the use of a stall in the market. The whole of the butchers at that time, if I may use a common expression, struck against the movement of the market trustees, and declined to take out the license.

4564. Do you know whether that decision on the art of the magistrates was ever questioned before a higher legal authority?—No, it never was.

4565. Do you consider that the present state of affairs as to the market in Taunton is detrimental to the interests of the town?—I do, undoubtedly.

4566. (*Sir James Corry.*) The restriction with reference to the number of butchers and traders of that kind, you say, enhances the price of the commodities that they deal in?—Yes.

4567. And you say that in consequence of that, people are driven to other markets to make purchases rather than in Taunton?—I do not say that people are driven; I say that people do that. Those who are in the habit of going on business to other towns buy their meat there.

4568. Is it the same with vegetables?—No, vegetables are now hawked through the streets of Taunton on most days of the week, in carts, from places outside the town.

4569. Have those hawkers any license to pay?—They pay a toll to the toll collector.

4570. (*Mr. Little.*) You have given evidence as to a farmer being fined 5*l.* for selling corn in a shop?—He offered it to the shopkeeper, a man who was licensed to sell corn in the shop.

4571. Did he bring the corn into the town before he sold it, or did he sell it by sample?—He sold by sample.

4572. And a fine of 5*l.* was imposed and collected for selling a sample of corn?—For selling a sample of corn not in the public market.

4573. (*Sir Thomas Martineau.*) Do you consider the management of the market by the trustees an economical management?—I think it might be managed better.

4574. So as to save expenses in administration?—Yes.

4575. You think that it would be managed better by the corporation?—I think so; I think that they could manage it more economically.

4576. The appointment of the trustees is for life, is it not?—I am not aware.

4577. Do they hold regular meetings?—Monthly meetings. They meet on the first Friday in every month.

4578. Are the meetings well attended?—Generally.

The witness withdrew.

Adjourned.

At No. 32, Abingdon Street, Westminster.

EIGHTEENTH DAY.

Thursday, 19th April 1888.

PRESENT :

SIR JAMES PORTER CORRY, BART., M.P., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR THOMAS MARTINEAU.
MR. CHARLES I. ELTON, Q.C., M.P.
MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. WILLIAM C. LITTLE.
MR. JAMES ALLANSON PICTON, M.P.
MR. T. BARCLAY COCKERTON, *Secretary.*

Mr. ZACHARY MELLOR examined.

4579. (*Chairman.*) You are town clerk of Rochdale?—I am.

4580. How long have you held that office?—Ever since the town was incorporated in 1856.

4581. We understand that the late Lord Byron (the poet) was lord of the manor of Rochdale?—Yes, and his predecessor.

4582. And they had the right to hold a market in the town of Rochdale?—Yes.

4583. Is it the fact that in 1822 certain persons obtained an Act giving them the right to provide an additional market?—Yes, and the old market place was acquired by the proprietors of the new market, who purchased Lord Byron's manorial rights.

4584. Is the market still in existence that was created at that time?—It is in existence; under the Act of 1822 which recites that "Whereas the town or parish of Rochdale, in the County Palatine of Lancaster, hath of late years greatly increased in population and buildings, and the present market place" (that was the manorial market place then, there had been no other market before except the manorial one), "which is held in a certain place in the said town called the market place, has become so inadequate that the passages along the public streets within the said town are greatly obstructed and rendered dangerous to the inhabitants of the said town, and also to travellers, by reason of the number of stalls and standings placed therein; and whereas it would be a great convenience to the inhabitants of the said town, and to persons frequenting

"the said town on market and other days, and would tend to remove nuisances and obstructions, if a new or additional market place was provided and established in that part of the said town of Rochdale as is situate in the townships of Hundersfield and Spotland, or one of them, in the said parish of Rochdale, and lies between certain streets in Rochdale aforesaid called the Yorkshire Street, Toad Lane, Blackwater, and Cheetham Street, with proper ways, avenues, or approaches thereto and under proper regulations." Then it goes on to enact that certain gentlemen mentioned are empowered to purchase lands and buildings therein mentioned, and to make an additional market place.

4585. That was the Act under which the proprietors of the new market obtained the manorial rights from Lord Byron?—Yes.

4586. Did that Act of 1822 give power to levy tolls in the market?—Yes; the second schedule to the Act contains the tolls.

4587. Are those the tolls that are now levied?—Those are the tolls that are now levied by the market company in that additional market place.

4588. Have you any market in Rochdale other than that market established under that Act?—No, not any other ordinary market; we have a cattle market.

4589. Is that under the corporation?—Yes. I may mention that in 1853 an Improvement Act was obtained for the borough of Rochdale (there had been Improvement Acts before, but that Act of 1853 re-

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scinded the former Acts), and that Act provided "That this Act shall for all purposes not by this Act otherwise expressly provided for be put in force within the following limits (to wit): all places within a circle of a radius of three-quarters of a mile, measured from a central point, very near to the south-east corner of an archway or road leading from the old market place to the 'Roebeck Inn' in Rochdale, being on the boundary line which separates certain buildings situate on the westerly side of that old market place, respectively belonging to John Fenton and James Fenton and James Leach respectively, and being distant 60 yards and 2 feet in a direct line from the centre of the westerly pier of the Rochdale old bridge, and 61 yards and 2 feet in a direct line from the centre of the easterly centre pier of that bridge, and which limits are in this Act called 'the town.'" So that Act defined the town. This map (*producing a map*) shows the town of Rochdale with that radius of three-quarters of a mile measured from the centre where the old market was. I think originally there was a cross stood there with a seat round for people who came from the country places with their butter, which they sold there up to 1822, when the market company was formed. This old plan (*producing it*) shows where the old market was, and also shows the additional market that this company obtained.

4590. Do I rightly understand that this new market, power to establish which was obtained under this Act of 1822, supplies the place of the old market?—Yes, it is in addition to the old market place. I have nothing to say against the proprietors of the Rochdale Market except in respect to one thing to which I shall have to call your attention by-and-bye, which has created a certain amount of ill-feeling in the town. As to the management of their markets and the levying of their tolls, I am not aware of any complaints. They have bought this property, and it is a good market. A large portion of it is covered.

4591. The Commissioners understand from you that, so far as you know, no complaint has been made with reference either to the management of the market or the tolls collected?—No, I have nothing to say about that. I have here an abstract of the conveyance of the market and the site thereof from Lord Byron to the proprietors of the new market, a deed poll dated October 1822, under the hand and seal of Lord Byron. "Whereby, in consideration of 500*l.* paid by the proprietors of the Rochdale New Market, he did grant and convey to the trustees of the said proprietors, under the Act of 1822, all that the present market of the town of Rochdale aforesaid, and also the site of the said market, situated and being at or in a certain place in the said town called the market place, which site contains 48 superficial square yards or thereabouts. And all and every the tolls, standings, stallage, rents, duties, profits, rights, privileges, and all other the appurtenances of or in anywise belonging to the said market, whether payable or arising at the said market place or elsewhere in the said town. And also the bell used by the crier or bellman of the said town, and the profits thereof, and the right of nominating and appointing the crier and bellman (except and always reserved the right belonging to the said lord to hold fairs in the said town, and all the rents, tolls, duties, and profits arising from any such fairs, and all other the rights and privileges belonging thereto, and intended to be excepted out of that conveyance). To hold to the said trustees, and the trustees for the time being of the said proprietors for ever." Having got their Act they got by that deed poll the manorial rights of Lord Byron, and all the tolls whatever they were. There has never been any complaint as to the tolls that they charged, whether they are exceeding the old customary tolls I do not know. The tolls in the second schedule to the Act of 1822 only apply to the additional market.

4592. Is there any difference between the tolls which were charged in the old market and those

which are charged in the new market?—I cannot tell you what the tolls were in the old market.

4593. Is it the case that in 1872 the Rochdale Corporation obtained an Extension and Improvement Act which contained clauses enabling them to purchase this new market?—Yes, it was thought that it would be perhaps advisable, to save the expense of going to Parliament again to obtain an Act, that the corporation should, whilst they were obtaining an extension of the borough, take power to purchase the new market by agreement. By that Act the corporation extended their boundary to the municipal boundary, so that now the municipal borough and the town are co-extensive.

4594. The corporation under that Act obtained power to buy the new market?—Yes, by agreement. In Part IX. of the Act of 1872, which relates to markets, clauses were put in to enable the corporation to obtain by agreement with the market company all their rights and privileges relating to the markets.

4595. But they had no compulsory power to purchase the markets?—No. The 82nd section of that Act of 1872 provides that "the corporation may by agreement, but not otherwise, purchase, and the trustees of the Rochdale New Market Place under the Market Act of 1822, with the consent of three-fourths both in number and value of the proprietors assembled at a special meeting convened by the trustees for the purpose, may sell to the corporation the market and undertaking of the said proprietors upon such terms and conditions as may be agreed upon between the corporation and the said proprietors. Upon the completion of such sale the market and undertaking of the said proprietors and all the incidents and adjuncts of the said undertaking shall, subject to the provisions of this Act and to the obligations, debts, and liabilities of the undertaking, be absolutely vested in and may be used, exercised, and enjoyed by the corporation."

4596. The corporation have not purchased the market under the power so given them?—No, they have not exercised the power. By the 99th section of the same Act we got compulsory power to purchase from the new market proprietors the old market and the site thereof, because of the inconveniences that had been experienced by cheap jacks selling things at standings in the old market place, thereby obstructing the free passage of the streets. Cheap jacks and mock auctioneers made amusing and pithy remarks in putting things up for sale, people stopped to listen to them, and so obstruction was caused in the streets. That is an inconvenience and a nuisance which we have not been able to get rid of.

4597. Have you taken any steps to acquire that old market?—We have not required the market proprietors to sell it. We asked what price they would take for it, and they put so large a price on it that the negotiation went off.

4598. What price did they ask?—1,500*l.*

4599. We understand you to say that this old market place used as it is by the present market corporation is a nuisance?—It is. I will read section 99: "The corporation may purchase and the trustees and proprietors of the Rochdale New Market Place under the Act of 1822, if required by the corporation so to do (it does not say when), shall sell the old market and the site thereof—that is the old manorial market—situate in the street in the borough now or formerly known by the name of old market place, and containing 48 superficial square yards of land or thereabouts." (We have widened the street a little by purchasing, but it is like an undivided area, and nobody knows where the 48 yards begins or ends.) Then the clause goes on, "and all and every the tolls, standings, stallage rents, duties, profits, rights, privileges, and all other the appurtenances of or in anywise belonging thereto," (that is, to the old market) "and payable or arising at the said old market place only (saving and reserving unto the said trustees and proprietors and their successors all tolls, stallage rents, duties,

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"rights, profits, and privileges belonging to the said market payable or arising in the borough elsewhere than in the said old market place, and the bell and nomination of crier or bellman, all which were purchased in 1822 by the then trustees and the proprietors from the lord of the manor." Then the corporation are to purchase it "for such sum as may be agreed upon between the corporation and the trustees and proprietors aforesaid, or as failing such agreement may be determined by arbitration in manner provided by the Lands Clauses Consolidation Act, 1845, in relation to the settlement of questions of disputed compensation, and for the purpose of such arbitration award the word "lands" in the said Act shall be deemed to include any such tolls, stallage, rents, duties, profits, rights, and privileges as aforesaid, and from and after the completion of such purchase the right of any person to use the old market place aforesaid, or any part thereof as a market or as a place for the sale or exposure for sale of animals, goods, articles, and things, is by this Act extinguished. And also from and after the completion of such last-mentioned purchase, the hereby-reserved tolls, stallage rents, duties, profits, rights, and privileges shall be severed from the said old market place, and remain the property of the said trustees and proprietors in like manner as before the passing of this Act, but the same shall be subject to the same power of purchase and sale as is contained in this Act regarding the Rochdale New Market and undertaking." That enables the corporation to require the market proprietors to sell it, and if they could not agree upon the price it is to be determined under the Lands Clauses Consolidation Act.

4600. As I understand, the corporation asked the proprietors what they would take for that old market, but they would not agree to give the price that was asked?—They wanted 1,500*l.* for it. That was in 1885.

4601. Since that time nothing has been done?—Nothing has been done; the corporation thought the price an exorbitant price, and, therefore, they did not proceed further.

4602. Notwithstanding all the nuisance it creates in the town?—Notwithstanding all the nuisance it creates in the town. You know what corporations are.

4603. Will you tell us how matters stand with regard to the right of the market proprietors to prevent people hawking marketable commodities in the town?—Section 42 of the Act of 1822 says this: "And be it further enacted that it shall not be lawful for any person or persons to kill, slaughter, or dress, or cause to be killed, slaughtered, or dressed, any beast, swine, calf, sheep, or other cattle, in any shop, standing, or other place in the said new market, except in such buildings or places as may be erected and set apart for that purpose; nor shall any person or persons from and after the space of 18 calendar months from the passing of this Act put, place, or set up, or cause to be put, placed, or set up, any shop, stall, show, or standing, or any basket, stool, table, or board, for the purpose of showing, or selling, or exposing to sale, any corn, grain, butchers' meat, fish, poultry, butter, eggs, cheese, vegetables, fruit, or other marketable commodities, matters, or things, on any of the public footpaths or highways in the said town of Rochdale other than within the limits of the said old market place and the said new market place; nor shall any person or persons thereafter, on any market day or days, or any other day, sell or expose to sale within the said town of Rochdale, except in the said old market place or the said new market place, any meat, butter, poultry, eggs, garden stuff, potatoes, roots, or vegetables, or any fish at any time within the said town except as herein-after mentioned; and if any person or persons shall offend in any of the cases aforesaid, such person or persons so offending shall forfeit and pay for every such

offence on conviction before one or more justices of the peace for the said county any sum not exceeding 5*l.*, to be recovered and applied as herein-after directed: Provided, nevertheless, that nothing herein contained shall extend or be construed to extend to prevent or hinder any person from selling or exposing to sale any marketable commodities, matters, or things whatsoever in his or her own private dwelling-house, or in his or her own shop in any part of the said town of Rochdale." Up to a certain time the market proprietors granted permits or licenses to costermongers with donkey carts, barrows, or with baskets, who went up and down the town selling vegetables. They did that for some years, but some time ago they discontinued doing so. They made certain charges for those permits, which brought certain grist to the market revenues. There is no provision in the Act of 1822 which gives them power to grant permits or licenses. The Act expressly says nobody shall within the town sell any of those articles except in the market place. It does not prevent people from selling marketable commodities in shops. The market proprietors found that they had not the power to grant permits, and they discontinued the practice of granting them; and persons then began to hawk without permits, and then the market proprietors summoned those persons. Then the question arose in the case of one of those persons summoned for hawking whether the place where he was selling his articles, which was a place called Hyde Park, was in the "town" or not, and it was decided by the Queen's Bench Division that the "town" comprised the whole borough as extended in 1872.

4604. That decision prevents hawking, and takes away the facility which persons residing in the country parts of Rochdale had of obtaining their goods from hawkers without having to go to the market?—Yes. Nobody complained about this power being exercised by the market proprietors; nobody said anything against it; but they found they had no such right to grant permits, and when the people to whom they granted the permits before went about the town hawking goods, the market company summoned those people under this section 42 for selling vegetables in the town; but the magistrates, when such cases came before them, inflicted only fines of nominal amount. It was an infraction of the law, and they had to impose fines, but the fines they inflicted were merely nominal, and they did not saddle the parties summoned with costs. I do not want to say anything against the market company, or anybody else, but the very fact that the magistrates inflicted only these nominal fines showed that they did not approve of the proceedings taken by the market company. If the magistrates had inflicted a heavy penalty it would have stopped the whole thing. The hawking goes on now without anybody attempting to stop it, but the hawkers are liable to be summoned at any time.

4605. With regard to fairs, had the lord of the manor the right to hold fairs as well as a market?—Yes; under the 100th section of the Rochdale Act, 1872, those rights to hold fairs which had been possessed by the lord of the manor were purchased by the corporation. Till 1872 there were fairs held in the streets—a horse fair at a certain period of the year, and a cattle fair nearly every fortnight—and we purchased the right to hold fairs from the lord of the manor. The 100th section provides: "The corporation shall within six months after the passing of this Act pay to the lord of the manor of Rochdale the sum of 350*l.*, and thereupon all his franchises, liberty, or right to hold any fair or fairs, market or markets, within such part of the manor of Rochdale as is within the borough, and the rents, tolls, duties, and profits arising therefrom, and all his property, rights, powers, and privileges of, and in, and appertaining or belonging to such fair or fairs, market or markets, shall vest in the corporation." When the lord of the manor conveyed his rights to the market company he re-

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served his right to hold fairs, but we bought that right, and after we had bought it we provided a vacant plot of ground for fairs and for a cattle market. So there has been no difficulty except on this point of people hawking. As I have said, when those people were summoned before the magistrates for infringing section 42, the question arose what was the "town." There is no definition of it in the Act of 1822, it only says, "Whereas the town of Rochdale." The magistrates refused to convict in the case of a summons where a man had hawked his goods beyond where the houses were continuous, they held that that was not within the "town," and then the question went to the Court of Queen's Bench.

4606. How many market days are there in the week?—Mondays and Saturdays.

4607. (*Mr. Elton.*) You say in a case where a man was hawking goods beyond where the houses were continuous the question arose whether that was the "town"?—Yes.

4608. Does not the first line of the Act of 1822 "Whereas the town or parish of Rochdale," show what was meant by "town"?—The parish of Rochdale is nine miles long; it never could mean that the prohibition in section 42 was to extend to where the grouse are flying.

4609. The town of Sheffield takes a great deal of country where grouse are flying, does it not?—Yes; we are surrounded by grouse hills.

4610. There are plenty of grouse moors near the town of Sheffield that pay borough rates, are there not?—I do not know.

4611. It is a common thing in your part of England to use the word "town" as meaning a parish or a large township, is it not?—I do not know. When people are living in a part of the parish a good distance from the centre of the town they say "I am going to town."

4612. The 42nd section, which I have read as carefully as I could, seems to be a prohibition of hawking in the streets?—Yes.

4613. It is intended apparently as a prohibition of the sale of marketable commodities, except in the market or in shops?—Yes.

4614. Looking to the fact that obstructions to the traffic had been caused by people selling things in the streets, it would be a natural and usual provision when a market was being established that people should buy their meat and vegetables, and so on, either at the market or at shops. That section 42 appears to be a provision to relieve the congestion of the roads and streets caused by persons selling things in the streets. It says no one shall sell marketable commodities except in a shop or the market?—Yes.

4615. That section having been passed with the view of keeping the streets clear of this inconvenient traffic, do you think that that policy should be reversed, and that that selling in the streets by hawkers should be allowed to go on unrestrained?—I do not say it should, nor do I say it should not. The old market having become inconvenient and an obstruction, Parliament gave the market proprietors power to establish a new and additional market; and the market proprietors having got the monopoly or vested interest in that market, section 42 was inserted providing that no one could sell goods except in the market or in shops, whether it was to draw people to the market for the purpose of securing a revenue to the market I do not know; but no one could sell articles within the town except in that old or new market place.

4616. In fact it was thought better to have market places than to allow people to sell those commodities in the streets; that was the policy of the Act?—Yes.

4617. Are you opposed to that policy?—No.

4618. Is it that you do not like the present market authority in the town. You said something about monopoly and vested interests; do you object to these market authorities with monopolies and vested rights or do you object to this particular one?—That is a very difficult question to answer. In Manchester you will see stalls standing in the market in the street,

which I venture to say the Corporation of Manchester would not allow for a second if the market were in the hands of private parties; but the Corporation of Manchester bought the market rights and it brings them in hundreds a year.

4619. Are you in favour of the governing body of a town being always the market authority; or do you think it is better that the markets should be in the hands of private individuals?—I think it is better that the markets should be in the hands of the corporation. That entirely depends on what the market company want for them.

4620. You have the power to buy the old market and to have the price settled by arbitration?—Yes.

4621. That power is confined to the old market?—That is so.

4622. You have not power really to buy up the existing market at present?—Not the new market, except by agreement, we could do away with this nuisance by buying the old market; we have compulsory power to buy the old market place.

4623. I take it that the power you are given to buy up the old market place is with the view of improving a particular bit of the market place which is congested and inconvenient?—Yes, and if we buy it you will see that the Act provides that there shall be no market there at all. The 99th section says "from and after the completion of such purchase the right of any person to use the old market place aforesaid, or any part thereof as a market or as a place for the sale or exposure for sale of animals, goods, or articles and things is by this Act extinguished."

4624. First of all there was the little old market place in a very inconvenient place?—Yes.

4625. Then it is extended by a new or additional market place?—Yes.

4626. The inconvenience still goes on, then you are given the power, as a matter of street arrangement, to reduce the market accommodation to the extent covered by the old market?—Yes.

4627. And you might avail yourself of that power if you like and buy up the old market?—Yes; but at the price they want.

4628. Still you can take away that old market and remove the inconvenience by compulsory purchase at a price to be fixed by arbitration?—Yes. The market people themselves might avoid the obstruction by not allowing those standings in the old market, the other market is only 15 or 20 yards away; but they have a vested interest in the old market, and if they are to be bought out I suppose they have a right to ask what they like.

4629. (*Mr. Charrington.*) Do your powers with regard to sewerage, cleansing, and so on extend to the whole of the parish of Rochdale?—No, only to the municipal borough; the parish is four or five times the size of our borough, it is nine miles long by four broad between some points.

4630. You would define the "town" of Rochdale as the municipal borough?—A question arose as to what the "town" was, and the magistrates refused to convict in the case of a person selling goods in a place which the magistrates did not consider was really in the town, that person might still have been in the parish if he had gone on for miles. The magistrates held it was not in the "town," and the case went to the Court of Queen's Bench. That case (*Killmister v. Fitton*) is reported in Volume 53 of the Law Times Reports, new series, page 959. "The town" had been defined in 1853 as being a circle with a radius of three-quarters of a mile; then it was extended to the municipal boundary, and with all the powers and privileges of it; and by the 8th section of the Act of 1872 it was provided that "from and after the passing of this Act the borough shall be and consist of the district comprised within the boundaries of the parliamentary borough of Rochdale as defined in the Boundary Act, 1868, and the provisions of this Act, of the Municipal Corporation Acts, of the Act of 1853, as amended by the Provisional Order of 1869, of the Royal Charter, of the Water Act of 1847, and the

"Water Act of 1866, of the Provisional Order of 1869, of the Elementary Education Act, 1870, and of all other Acts at present applying to and in force in and in relation to the existing town and borough shall so far as the same are applicable apply to and be in force in and in relation to the borough." The court held that those words "all other Acts at present applying to and in force in and in relation to the existing town and borough" included the Market Act of 1822, and that, therefore, that Act of 1822 would apply to and be in force within the new boundaries described in that section 8 of the Act of 1872.

4631. (*Mr. Maclean.*) You represent here to-day the Corporation of Rochdale?—Yes.

4632. You are the town clerk?—Yes.

4633. There is some friction, is not there, between the corporation and the proprietors of the market?—There has never been any friction between them.

4634. The corporation has a statutory power to purchase from the proprietors of the market?—Yes.

4635. Have they given notice to purchase?—No, they have not.

4636. Have not you asked them to fix the price?—Yes.

4637. Have they done so?—They have asked 1,500*l.*, that is for the old market. There has been no friction; my corporation wanted to know their price, and they asked 1,500*l.*, and the thing collapsed.

4638. Has not your town council spoken in rather strong terms at their meetings about the action of the market proprietors?—Yes, members of the corporation have.

4639. There has been a good deal of feeling between the town council and the proprietors of this market?—Some of the members of the council have expressed themselves in terms of disapproval of their course of proceeding with reference to this hawking. The magistrates will fine them only nominal fines.

4640. Whatever friction there has been has been on account of the action of the magistrates towards the hawkers?—No, the whole of it has arisen through the market company taking action against these people who have gone about carrying baskets with goods for sale.

4641. You have power to purchase at a price to be fixed by arbitration?—We have compulsory powers to buy the old market, but not the additional one.

4642. Do you propose to purchase it?—No, not at present.

4643. (*Mr. Picton.*) You say you represent the corporation? You do not come here to express your own personal opinion?—No.

4644. As I understand, the corporation as representing the population of the town are not satisfied with the present state of things?—No, they are not. The committee of the corporation having this matter in charge say that they are "of opinion that the expression in the 42nd section of the Act of 1822, 'Town of Rochdale,' should be held and legislated upon so as to mean the town of Rochdale as it existed in the year 1822, and that the power to grant licenses for hawking and vending the articles mentioned in such section should be vested in the corporation within that part of the extended borough of Rochdale, which is outside the limits of the town as it existed in 1822."

4645. Do the corporation wish to become the market authority themselves?—Not at the price asked.

4646. Would they desire, on reasonable terms, to become the market authority, on terms such as they would consider reasonable?—If it was a thing producing good dividends I daresay they would. I can only judge by what I see going on in the world now-a-days.

4647. Is the opinion generally held in Rochdale that the corporation ought to be the market authority apart from any commercial consideration of the price to be paid for the market; supposing there were no money to be paid for it, would the inhabitants think it in the public interest for the corporation to become

the market authority?—I do not know that I have heard any expression of opinion by the people of Rochdale that it ought to be in the hands of the corporation. The corporation of Rochdale themselves, if they thought it advisable, perhaps would take action in the matter, but hitherto they have not taken any action. No complaints have been made with regard to the market, except the complaint that arises by having these cheap-jacks and Dutch auctioneers attracting crowds in a space of 48 yards in the main street of the town. I think these standings ought not to be allowed in such a place.

4648. Can you tell us whether the feeling expressed in favour of the hawkers is endangered rather by hostility to the market authority than by friendship for the hawkers?—I think a feeling exists that the hawkers ought to be allowed to go about.

4649. It is not thought that they would be any nuisance in the town?—No, I do not think it is. Any shopkeeper could have issued a summons just as well as the market company; no person except the market company took any action against a single hawker, whilst that clause enables any inhabitant to take action.

4650. To go to another part of the subject, can you tell us whether Lord Byron held the market by charter or simply as the lord of the manor, from immemorial custom?—I never heard of a charter.

4651. He held it by immemorial custom?—Yes, he and his predecessors from the days before Elizabeth.

4652. What was included in the amount of 500*l.* that was paid to Lord Byron?—The land and the market rights. "In consideration of 500*l.* paid by the proprietors of the Rochdale New Market he did grant and convey to the trustees of the said proprietors under the Act of 1822 all that the present market of the town of Rochdale aforesaid, and also the site of the said market situated and being at or in a certain place in the said town called the market place, which site contains 48 superficial square yards or thereabouts, and all and every the tolls, standings, stallage, rents, duties, profits, rights, privileges, and all other the appurtenances of or in anywise belonging to the said market, and also the bell used by the crier or bellman of the said town, and the profits thereof, and the right of nominating and appointing the crier and bellman."

4653. Can you tell us approximately the population of Rochdale in 1822?—In 1841 it was 21,000 odd; in 1851 29,000 odd; in 1861 the population of the municipal borough was 38,000 odd; in 1871 44,000 odd, and by extension of the municipal borough by the Act of 1872 to the parliamentary boundary the population became in 1872 63,000 odd, and by the last census it was 68,000 odd. The parish of Rochdale had at the last census a population of upwards of 130,000.

4654. The market was a central market for a considerable surrounding district; people came from long distances to the market in old times?—Yes, Rochdale in 1822 was like a town in the centre of an agricultural district; it is not the same place now.

4655. And the lord of the manor charged tolls?—No doubt he charged tolls.

4656. Have you any idea of how much revenue there was from them?—I cannot tell you.

4657. 500*l.* seems a very small sum for what the lord of the manor sold, was there very little revenue from the market at that time?—There must have been very little revenue at that time from it; there could not have been much revenue from it, the site of it was only 48 superficial square yards, 10 yards long by 4 broad.

4658. (*Mr. Little.*) Did I rightly understand you to say that by the Act the market proprietors had the right of taking toll given them expressly as regards the new market, but that as regards the old market their right was simply that of their predecessors in title?—They had only such rights as were possessed by the lord of the manor in respect of the old market; he had the franchise to hold the

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market, and he sold it with all the incidents attaching to it, the tolls and so on; those would be the customary tolls that he had taken in former times by the custom of the manor.

4659. By the Act the market proprietors were empowered to take tolls in the new market?—Yes.

4660. And they were not empowered by that Act to take tolls in the old market?—No, they were not empowered to take tolls except in respect of the additional market. The schedule specifies the tolls that are to be taken in the additional market.

4661. Have the market proprietors a cattle market?—No.

4662. The corporation bought the right to hold fairs?—Yes, they gave the lord of the manor 300*l.* for it.

4663. Do you hold cattle markets as well as fairs?—We have all such rights as the lord of the manor had in regard to cattle fairs. The corporation acquired some land round by the old church on part of which those fairs are held; the corporation had acquired the land for purposes authorised by their Acts, and applied a part of it so as to do away with the cattle fairs being held in the streets. That land is off the streets entirely but very convenient, and now the fairs are held in that open space of ground.

4664. (*Sir Thomas Martineau.*) Are the proprietors of the market incorporated by the Act of 1822?—They are a quasi-corporation but they are not specifically incorporated.

4665. How is the market governed?—The second section of the Act of 1822 provides, “that the said proprietors together with such other person or persons who shall be entitled to one or more share or shares in the said additional market place shall hold a general meeting at the Roebuck Inn in Rochdale aforesaid on the fourth Thursday next after the passing of this Act; and one general meeting shall be held by them, their successors and assigns, on the second Thursday in the month of May in every year, at or after the hour of ten of the clock in the forenoon, at some convenient place within the said town of Rochdale, at which said general annual meeting the proprietors assembled shall choose 11 persons, being respectively proprietors of two or more shares in the said undertaking, to be trustees for managing the affairs of the said proprietors in such manner as is herein directed, with further provision for holding an occasional general meeting of the proprietors.”

4666. They elect a board of 11?—Yes.

4667. Are those persons gentlemen who are living in or near Rochdale now?—Yes. I am a part proprietor in the market, but I never go to market meetings. When old proprietors die off the sons generally go out some distance to reside, but, generally speaking, the shares are held by persons living in Rochdale and the neighbourhood.

4668. The shares are bought and sold, are they not?—Yes.

4669. The company has been a very lucrative one, has not it?—I do not think it has ever been a very lucrative one.

4670. Is not there a large surplus?—It has paid 5 or 6 per cent. at one time; not more than that, I think.

4671. You get your dividends?—Certainly.

4672. As to the old market, it is perfectly clear that you had a compulsory power of purchase?—Yes.

4673. And you think you have it still?—I am almost certain we have it still.

4674. As to the other market you have a power of purchase by agreement?—We have.

4675. As to that other market has the corporation ever taken any step with reference to the acquisition of the market rights?—No.

4676. Never?—No, not the additional market for which the Act was obtained; we have with regard to the old market place.

4677. Have they ever considered whether it would be a desirable thing for them to be the market autho-

rity generally?—There has been a desultory conversation on the subject; it has not been brought formally before the council.

4678. Are we to understand that the corporation think they have any grievance at all with reference to the old market?—The corporation think, and the members of the committee think, that the crowds ought not to be in the public street. I have told my committee, “As the market company have a certain right which they bought from the lord of the manor, you have it within your own hands to remove this obstruction; if you will order me to give notice that you require to purchase the old market place” (and if I give that notice we shall be compelled to buy it) “you can buy it; if you do not agree upon the price then the price will have to be settled in the manner provided by the Lands Clauses Consolidation Act.”

4679. Do your committee complain of any grievance existing with reference to the old market?—My committee have expressed themselves individually at council meetings very strongly about the market company allowing these standings in the public street, and they have urged that those standings ought to go to the other market. Anyone can understand that if it is an inconvenience which it is desirable to get rid of it gives the market company an opportunity of asking a good price for the site. The additional market was mainly to do away with the inconvenience arising in the old market, but instead of doing away with it it still goes on.

4680. Does your corporation want any more power than that which they have got with reference to the old market?—No, I do not see that there is any other power wanted; they have power to take it now.

4681. On the subject of the hawkers, you have a large working-class population in Rochdale?—Yes.

4682. Whereabouts do they mainly live?—They live all over the town, except in the main streets; the main streets generally have shops on each side, but immediately behind those streets are the dwelling-houses of the working classes.

4683. Would it be in some cases a considerable distance from the market where those working classes live?—Yes, it would.

4684. I believe the town has grown a great deal since 1877, the date of that map?—Yes.

4685. Has not it been found that great advantage accrues to the poor people of the town by their having the facility of buying marketable commodities from hawkers?—No doubt about it; it is a convenience to the people in the country places, because the hawkers sell their articles at the doors; it saves those people going down into the market, a quarter of a mile or a mile and a half away.

4686. Has not all this agitation that has arisen upon the subject of hawking been mainly on the ground that it is an interference with free purchases being made by the poor in the streets from costermongers?—Yes; it has arisen from the market company taking action against these poor people who with handcarts or baskets go out into the country places round about the town and in the town itself selling vegetables. If the market company had not done that there would never have been a word said about it.

4687. Supposing there were a power vested in the corporation to grant permits for this purpose, would not that get rid of all the difficulty?—Yes.

4688. And is not that mixed up with the question of the corporation being the owners of the market?—If the 42nd section of the Act of 1822 was struck out, and the corporation were empowered to grant licenses for the sale of the articles mentioned in it within the borough, it would put an end to the difficulty; but the market company object to anything of that sort.

4689. As to that 42nd section, I do not understand the position your committee take. This question has been to the Court of Queen’s Bench, and they have held that the section in question—the 42nd

section—applies to the whole of the municipal borough?—Yes, that is so.

4690. Is that decision accepted as law by your committee?—Nobody has taken it any further; it has not gone to the House of Lords.

4691. When your committee say that they think that the expression “town of Rochdale” should be held and legislated on so as to mean the town of Rochdale as it existed in 1822, do they mean to dispute the law as laid down by the Court of Queen’s Bench, which has held that that is not the meaning of the Act of Parliament, or do they wish that a change should be made in the law, which can only be done by Parliament?—They think somebody ought to be empowered to grant such licenses; and as the corporation having the management of the town, they think that they ought to be empowered to have the privilege of granting licenses to those people who make applications to them for licenses to sell those articles elsewhere than in the market and “the town” as it existed in 1822.

4692. (*Mr. Childers.*) Had those hawkers either hawkers’ licenses or pedlars’ licenses?—I do not know; I do not think they had.

4693. Did they go about with a horse and cart, or did they only walk about carrying what they had in baskets?—Some of them had a horse and cart, and some had a donkey and cart.

4694. You do not know whether they held licenses as hawkers?—No, I do not.

4695. (*Mr. Elton.*) I should like to ask you a question or two merely to explain a former answer. The Market Act of 1822 mentioned the town and parish of Rochdale?—Yes.

4696. The Act of 1853 defines for the purposes of that Act, by section 3, a certain district by boundaries to be called the town for the purposes of that Act?—Yes.

4697. In 1856 a Royal charter defined the district as the town and borough of Rochdale?—Yes.

4698. Which was extended by the Act of 1872 to the municipal boundary?—Yes.

4699. And the decision to which you referred us was that the “town” included the area added in 1872?—Yes.

4700. (*Mr. Maclean.*) Some of the town councillors have rather suggested that these hawkers should not take out licenses notwithstanding the decision in *Killmister v. Fitton*, have not they?—No, I have never heard anything of the sort suggested.

4701. Is not it pretty notorious that some of them have said that they can defy the market company notwithstanding this decision of the Court of Queen’s Bench?—I have never heard that suggested; it is the law at present.

Mr. GEORGE RIDGWAY KILLMISTER and Mr. CHARLES COLLIER examined.

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4702. (*Chairman to Mr. Killmister.*) You are law clerk to the proprietors of the market of Rochdale?—I am.

4703. (*To Mr. Collier.*) You are superintendent of the market?—Yes.

4704. (*To Mr. Killmister.*) We have been told by the previous witness that in 1822 the manorial rights of Lord Byron were obtained by the present market proprietors?—They were, by purchase.

4705. Were those rights obtained before or after the passing of the Act of 1822?—I think the conveyance is dated the 7th of October 1822, and the Act was obtained on the 24th of May 1822.

4706. What was purchased at that time was about 18 yards in the centre of the town?—Yes, including the tolls and stallage payable thereupon. What was purchased was “all that the present market of and in the town of Rochdale aforesaid, and also the site of the said market situated and being at or in a certain place in the said town called the market place, which site contains 48 superficial square yards or thereabouts, and all and every the tolls, standings, stallage, rents, duties, profits, rights, privileges, and all other appurtenances of or in anywise belonging to the said market, whether payable and arising at the said market place or elsewhere in the said town, and also the bell used by the crier or bellman of the said town, and the profits thereof, and the right and privilege of nominating and appointing the crier and bellman, except always reserving to Lord Byron, his heirs” (and so on), “the right belonging to the said Lord Byron, his heirs” (and so on), “to hold fairs in the said town.”

4707. The Act of 1822 was obtained by influential parties connected with Rochdale?—Yes.

4708. And they purchased the old market rights from Lord Byron in addition to the powers they obtained under that Act of 1822?—They did.

4709. Did they form a company?—Yes.

4710. Originally I see there were 67 shareholders and 360 shares of 100*l.* each?—Yes, that is so.

4711. And was there a certain sum of money borrowed by the market trustees?—6,000*l.* was borrowed under the Market Act; they had power to borrow 6,000*l.*, and they borrowed the whole of the money in addition to what they raised on the shares. The proprietors also applied all profit received from the market towards the capital for many years, and

received no dividend, the borrowing powers being exhausted and the market incomplete.

4712. Of course the money that was paid for the manorial rights was included in the capital sum?—I believe that would be so.

4713. Can you tell the Commission what were the powers that were conferred upon the proprietors of this market by the Act of 1822?—The powers conferred upon the proprietors of the market were to purchase the site, to borrow the 6,000*l.*, and to build a market, and general powers to levy tolls, and manage the market.

4714. The market proprietors now have the power to prevent the exposure for sale in the streets of any marketable commodities such as are sold in the market?—Yes.

4715. Is it the case that for a considerable time the market proprietors issued permits for hawkers?—They did, at the suggestion of the magistrates.

4716. Have you had any complaints from the general public with reference to the management of the markets?—None, except, I may say, so far as there have been certain statements made at the town council meetings in reference to the hardship it is upon hawkers to be prevented hawking—in fact, breaking the law—and the town have always seemed averse to construing the Market Act as extending to the borough, as enlarged from time to time by the Improvement Acts.

4717. When the Act of 1872 was obtained by the corporation, were any clauses inserted in that Act enable the corporation to buy your markets?—There were; they had power to purchase the new market by agreement, and a compulsory power to purchase the old market.

4718. Has the corporation made any advances towards the market proprietors with a view of purchasing the old market?—They asked what price we would take for the old market, and we had it valued, and sent in the valuation—I think 1,500*l.*—and since that time we have heard nothing whatever from them in reference to it.

4719. I suppose you cannot tell the Commission on what principle that valuation was made?—I think there were two ways in which it was made: the first was valuing the land, and the second was valuing the income we got from it. In deference to public convenience, the old market is only used when the new

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market is full and we require space, and that is generally on market days; and using the old market simply in that way, it brings us in an income of rather over 50*l.* a year for the stallage upon it. Then there would have to be something for compulsory sale added. We gave 500*l.* for it in 1822, and of course property has increased very much in value since then in Rochdale.

4720. Would it be right to say that the way in which the old market is used is a nuisance to the general public?—No, except so far as it occupies part of the street; I do not see how it is a nuisance otherwise.

4721. Is the market conducted differently there from the way in which it is conducted inside the new market?—Not at all.

4722. The same Dutch auctions, and so on, go on outside the new market as go on outside the old market?—That I presume to be so.

4723. You have no power to hold a cattle market?—I think not.

4724. Do the market authority summon parties for hawking in the streets?—They do.

4725. What has been the result of those summonses before the magistrates?—Latterly—that is, since the decisions of the Court of Queen's Bench—since the uproar in the town about these hawkers. The magistrates have simply fined the hawkers a nominal fine of 1*s.*, and imposed the costs upon the company. I do not say all the magistrates approve of this 1*s.* fine.

4726. The corporation have taken no steps to put their power into operation for the purchase except asking you the price?—I believe not.

4727. Does this hawking still continue?—It does; hawking is carried on all over the town. I understand that it is chiefly carried on by men not resident in the town but resident in the outlying districts, who bring their goods—these marketable commodities—into the town. Instead of bringing them to the market, they hawk them all over the place.

4728. And so pay you no toll?—They pay us no toll. Of course, permitting this hawking empties our market, because if people can hawk they will not stand in the market to sell their goods.

4729. By the decision of the Court of Queen's Bench was the limit to which your market rights extended defined?—It was; it was held to extend to the parliamentary and municipal boundary for the time being.

4730. When the Act of 1822 was obtained the municipal boundary was very much smaller than it is now?—Yes, very much smaller.

4731. Have your company any recommendations to make to the Commission with regard to the way in which their markets should be dealt with?—The recommendations of the company are these: 1. The powers should be given to the market company to issue licenses to hawkers under certain conditions. 2. That the fees to be paid by hawkers for such licenses be fixed by statute and be similar to those of neighbouring boroughs where the markets are under corporation control and where the conditions are similar. 3. That a minimum penalty be fixed which shall be inflicted on all persons convicted of hawking without a license, and that an increased minimum penalty be fixed to be imposed on persons convicted of a second offence. 4. That the powers of sale and purchase of the market and undertaking contained in the Rochdale Improvement Act, 1872, be made compulsory on both the corporation and the company on the one giving to the other of them six months' notice in writing, and in default of agreement as to the price the same to be fixed by arbitration in the usual way.

4732. I suppose you furnish regular accounts to your shareholders?—Yes.

4733. What has been the result of those accounts the last three years, for instance, as regards dividend?—For the year for 1883–4 a dividend at the rate of 7*l.* 10*s.* per cent. per annum was paid less income tax, it would be 7*l.* 10*s.* three years ago; 7*l.* the year before last, and 6*l.* 10*s.* last year.

4734. The dividend according to that has been decreasing?—Yes.

4735. Is there any reason for that?—I believe it is chiefly from the emptying of the market by these hawkers being allowed to go up and down the streets selling their goods; people will not come to the market when they can buy things at their doors.

4736. (*Mr. Elton.*) Do you know where the 48 square yards are situated?—Yes, the space is marked by stones placed in a different direction.

4737. The space is occupied in part by stalls?—Yes, when we choose to put them there, generally on market days. We put them there when the market is full.

4738. And the stalls bring in 50*l.* a year?—When we use the space in that way; but we are entitled to use the market every day, and if we did so, it would, of course, bring in a much larger income.

4739. Cheap jacks use it some days, do not they?—(*Mr. Collier.*) We put all kinds of people on that ground; we occupy that ground three days in the week, the remainder of the week it is kept clear, nothing is allowed to stand on it.

4740. (*To Mr. Killmister.*) Does the 50*l.* include the profits from the cheap jack people?—Yes.

4741. The first words of the Act of 1822 are "Whereas the town or parish of Rochdale"; do you interpret "town" as taking in the whole parish or do you confine it to the built over part?—I should not take it to extend to the whole parish, certainly, only to the built over part of the borough for the time being.

4742. In the Act of 1822 were there special provisions as to costs where parties were found guilty of offences against the Act?—The penalty was not to exceed 5*l.*; there was no minimum.

4743. As to costs, you say the magistrates mulct you in costs even when a man is convicted; is there anything in the Act about costs?—I do not think there is.

4744. Then if there is nothing in the Act about letting the offender off the costs I take it that it is one of the grounds of your complaint against the magistrates that they make you pay costs?—It is.

4745. In your view from partiality?—Certainly; the effect is to punish us.

4746. There is a persistence in the action of the magistrates which leads you to think that other people might infer design?—Undoubtedly. It is a denial of justice.

4747. Under the 42nd section of the Act of 1822 you are a market monopoly, having the right to prevent people invading you; but, at the same time, you cannot give an advantage to one person in the way of a permit or license that you cannot give to another?—The fair way of putting it is, we ought to prevent everybody from hawking.

4748. You not only wish to be under the usual sort of compulsory power of being bought up, but you want to introduce a more stringent machinery; you want to force the corporation to buy you up by Act of Parliament?—We think if they have power to buy us up we should have power to give them notice to buy us up.

4749. You never heard of a man being enabled to make a railway buy his park when they did not want to do so, did you?—If it remains only one-sided, as it is now, they might endeavour to run down the market and lower the value of the shares with the view of getting it at a cheap price; whereas if we had a corresponding power of giving them notice to sell, and if we saw that they were doing that we should have a check upon them and say, If you do not treat us fairly we shall give you notice to sell.

4750. Do you think this sort of rights ought to be vested in the governing body of the borough?—I think so, certainly.

4751. (*Mr. Childers.*) How far from the market do the privileges of the company according to your view and according to recent decisions extend?—To the limits of the parliamentary borough. I believe

the parliamentary borough covers an area of 4,000 acres.

4752. That does not quite answer my question without a calculation; how far from the centre is the limit of the borough.—(*Mr. Collier.*) In some cases a mile and three quarters; in other parts, not quite so far.

4753. Is the whole of that area practically built on?—Most of it is; there are a few vacant places.

4754. Your population now within that area is 75,000?—Yes.

4755. (*To Mr. Killmister.*) You claim that the 42nd section under recent decisions extends to the whole of that area?—Yes; construing the words "the town of Rochdale" as construed by Mr. Justice Smith and Mr. Justice Mathew.

4756. The town of Rochdale having been formerly a very much smaller area than it is now, you contended, and contended successfully, that the town must be taken to be for the purposes of the Market Act the town as defined under the Act of 1872?—Quite so.

4757. Then you claimed until lately to be able to issue a species of hawkers' license for the whole of that area?—Yes.

4758. And that claim of yours you have been advised was one which you could not sustain, and you have abandoned it?—Yes.

4759. What is the position, therefore, now of any man who wishes to hawk in that area?—He cannot hawk legally.

4760. You put it that the law as it stands is prohibitory, that nothing whatever can be hawked in that area extending as much in some cases as a mile and three quarters from the centre?—That is so.

4761. Do you know anything of the arrangements of other municipal boroughs in Lancashire, or Yorkshire, or Cheshire with regard to hawking?—No.

4762. Are you aware of any other boroughs within a reasonable distance of Rochdale, either in Lancashire, or Yorkshire, or Cheshire, in which the market authority absolutely prohibits hawking?—I do not know of any.

4763. As a Rochdale man, do you not consider that it is a grievous thing that the poor, who obtain so much in the way of provisions from hawkers all over the country, should be debarred in Rochdale from doing so?—But, as a matter of fact, in cutlying districts they are not inconvenienced by there being no hawkers, because shops spring up in those districts, and they would not spring up if hawking was allowed; there would be no reason for their existence.

4764. That is an argument against the necessity of hawkers; I am putting it the other way; is not it a grievance that poor people, if they wish to purchase from hawkers, should not be able to do so; is not it the case that in the metropolis, for instance, the poor mainly buy their day-to-day provisions from costermongers?—I have no doubt it is a great convenience to poor people to be enabled to buy of hawkers.

4765. Therefore you would say that the poor in Rochdale suffer a decided disadvantage seeing that they cannot have that facility which is afforded to poor people elsewhere?—Yes, I suppose that would be so.

4766. To carry that point a little further, is it within your knowledge that in other boroughs the market authority has the power to license hawkers specially, and charge them a fee?—I believe that is so; at any rate in all places where the corporations own the markets.

4767. That is the general rule?—That is the general rule.

4768. When the permission to hawk was in force where did these people get the articles which they sold; did they get them in the market itself?—(*Mr. Collier.*) The hawkers, generally, would get their goods in Manchester.

4769. When the permission existed they did not buy at the market the goods which they hawked?—In some few cases; but generally they would get them from Manchester.

4770. If they did buy them in the market were they charged for the license for hawking all the same?—Yes.

4771. Therefore they paid toll in the market on the goods that they bought, and there was this additional charge made for hawking?—No tolls are charged, therefore hawkers would have nothing to pay beyond the fee for a permit, unless they rented a stall in the market, there would then be in addition only the rent for such stall.

4772. (*To Mr. Killmister.*) Do you think that that is the case in other corporations where there is a system of licensing hawkers?—It is, I believe, as far as I know.

4773. That is, they may have bought the whole or part of the stuff that they hawked in the market, and which, therefore, directly or indirectly, has paid its share of the market revenue; and then the market gets an additional payment in respect of the hawkers' license?—I believe that is so. In some boroughs they compel the hawker to first bring his goods into the market, and then what are unsold there they allow him to hawk.

4774. But what I am putting to you is this: is it the case that at Rochdale the hawker purchased goods in the market and then sold them outside, the market authority receiving the hawker's fee and also receiving the toll upon the goods he had bought.—(*Mr. Collier.*) There is very little stuff which the hawkers sell purchased in our market.

4775. On whatever was bought in the market the hawker would have to pay the license fee, and also the toll on the goods bought?—We suggested at one time that those who had stalls in the market might be allowed to hawk for a little less, but people said that was not fair, and that all ought to be charged alike. There is no toll.

4776. Do you mean that holders of others stalls said that?—Yes.

4777. So that your own tenants were very much disposed to enforce your monopoly against their brother tenants?—Yes; and a great many have left the market and gone hawking altogether.

4778. Are these hawkers licensed hawkers? I am not speaking of the pedlar's police license, but the hawker's license for which something has to be paid to the Inland Revenue?—They are not licensed hawkers for all we know.

4779. How do they escape paying for the hawker's license?—I cannot say.

4780. (*To Mr. Killmister.*) When you licensed them did you undertake to hold them harmless?—Certainly not; our license or permit simply said that we (the company) would not prosecute them for hawking in the town.

(*Mr. Collier.*) We never inquired whether these men had Government licenses; we did not know whether they had or not.

4781. Did they hold a pedlar's police license?—No.

4782. They were not registered by the police authorities at all?—No.

4783. How did they escape that?—I do not know.

4784. (*Sir Thomas Martineau to Mr. Killmister.*) With regard to the old market, is it the fact that those who use the site of the old market could be perfectly well accommodated in what you call the new market?—No, we never use or very seldom use the old market, unless we have no room in the new market, and that generally only happens on market days.

4785. How far is Rochdale from Manchester?—(*Mr. Collier.*) Twelve miles.

4786. And most of the dealers in the market obtained their supplies from the Manchester Market?—Yes.

4787. In the same way you say most of the hawkers obtained their supplies from the Manchester Market?—Yes.

4788. Do they bring them over in their carts?—Yes; barrows and baskets.

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4789. Twelve miles?—They go by train.

4790. It is rather an exceptional case that two market towns are so near to one another as Manchester and Rochdale?—Manchester supplies a good many surrounding towns; it is a large wholesale market.

4791. (To Mr. Killmister.) Is the 7*l.* 10*s.* per cent. dividend the highest that has been paid?—No, we have paid, I think, 8*l.* 5*s.*

4792. Was that some time ago?—Some years ago.

4793. What caused the reduction from 8*l.* 5*s.* to 6*l.* 10*s.*?—I think it was this agitation since the passing of the Act of 1872; the magistrates would not convict for hawking outside what they considered the old town, and we had two or three lawsuits which have been very expensive, and owing to these men hawking, and the difficulty we have had with them, having to put watchers on to catch them, and the prosecutions, we have only received very small fees from them, and that has run away with a great deal of our profit; and the effect of hawking on the market is that nearly half of the covered market is now unlet.

4794. Have you found that it is getting more and more vacant?—It is getting more and more vacant, certainly.

4795. The general result you say is that a large number of stalls are to let and that the income has gone down and the dividend has consequently diminished?—That is so.

4796. You attribute that to hawking in the streets?—Chiefly; in some years the diminution in our profits has been due to the expense of these lawsuits.

4797. You used at one time to grant licenses to hawkers?—Yes, that was done at the suggestion of the magistrates; they thought it would be a convenience to the public that hawkers should hawk goods outside a certain radius, and we, without taking legal opinion upon the subject, granted licenses to hawkers in that form.

4798. Were those licenses issued to any large extent?—No, the first year 70 only were applied for, and in the second year only 12 of those 70 were renewed.

4799. Did you find that the issuing of those licenses diminished the sales in the market?—(Mr. Collier.) People found it more profitable to go hawking than remain in the market and pay stallage.

4800. At the time that you were licensing people to sell in the streets, did you find that there was less buying and selling in the market?—Not till after the licensing had been in operation for a year or two, then we found that the receipts got gradually less.

4801. (To Mr. Killmister.) After what has happened do you still continue the prosecutions with respect to these hawkers?—No, we have not done so the last two or three months because it is utterly useless; the hawkers prefer to pay the 1*s.* and be prosecuted. I suppose they make a pretty good profit and can easily afford to pay the fine; the town is now overrun with hawkers, and the Act of Parliament is set at defiance.

4802. (Mr. Little.) By the Act of 1872 a larger area was substituted for the smaller one for all the Acts of Parliament relating to Rochdale?—For all the Acts of Parliament.

4803. Is it the fact that the corporation and the company agreed to that clause?—The corporation and the company agreed to that clause. We were going to oppose another clause that they put in with regard to purchase and other things, and ultimately they agreed that clause 42 should stand in the Bill.

4804. If it were said that it was a sort of accident making all the Acts of Parliament then in force in the town and borough applicable, by which a larger area was to be taken for market purposes, you would contend that that was not correct; you say that it was agreed to by the corporation?—Yes; certainly I was not then the clerk, my father was, and I understood from him that a great deal of negotiation went on between the representatives of the market and the

representatives of the corporation; we were to have opposed the proposal of the corporation with regard to purchasing us, and ultimately they agreed to that clause as it stood; that is how I understood it.

4805. Your Act of 1822 regulated the tolls in the new market, but it did not regulate those of the old market, did it?—No, I do not know that it did include the tolls of the old market.

4806. Your tolls that are taken in the old market are not taken under the authority of the Act except in so far as that Act transferred the rights of the lord of the manor to you?—That is so.

4807. What ratio do the tolls or stallages that are charged there bear to those in the new market?—They are about the same.

4808. It is an uncovered market?—Yes, and the other is partly covered and partly uncovered.

4809. Do you know how the tolls taken in the old market compare with those that were taken by Lord Byron before the market was purchased?—That I do not know.

4810. I presume tolls were taken by Lord Byron; if there had been no tolls before you took the market you could not have taken tolls?—Tolls are expressly mentioned in the purchase deed, but none are taken.

4811. But they are not defined?—They are not defined.

4812. (Mr. Maclean.) At what price are your 100*l.* shares quoted now?—The last sale, I think, was at 142*l.*; they have been as high as 165*l.*

4813. Have any complaints been made of your market?—None that we are aware of, no direct complaints. We see these reports of what some of the speakers say at the town council meetings.

4814. That is more with respect to the question of hawking?—Quite so; I have heard of no complaints with reference to the management of the market.

4815. There is a strong feeling in the town about this question of hawking among the lower classes, is there not?—Yes.

4816. A feeling antagonistic to the market authorities?—Yes.

4817. That is taken up, if not by the town council as a body, at any rate by certain members of the town council?—Yes.

4818. And they have expressed very strong views about it?—Yes.

4819. In fact, some of them have suggested that the law might be usefully defied under the circumstances?—Quite so.

4820. You told one of the Commissioners that you did not know any instance of any town or any borough where the market authority had such powers as yours, namely, of prohibiting persons from hawking in the streets?—Personally I do not know of any instance without power to grant licenses; I do not say there are no instances, I do not know of any.

4821. Does not it appear to you to be a very strong power for a market to possess?—Yes, in the absence of a power to grant licenses.

4822. And a power somewhat restrictive of trade?—Yes, I have no doubt it is so.

4823. You said that the fact of your being able to prevent hawkers from hawking was not injurious to the lower classes because they had shops in their neighbourhood?—I suggested that shops spring up where there are no hawkers.

4824. Do you agree with me that the poorer classes would, as a rule, have to pay a good deal more even at small shops than they would if they bought their goods of hawkers?—I do not know that, but the persons who get the profit on this hawking are not people who live in Rochdale; the town does not get anything out of them in rates, they are people who come into the town from Manchester.

4825. I am dealing with the subject from the point of view of advantage to the working classes in Rochdale; have you given any attention to this subject, namely, whether it is not for the advantage of the poorer classes that hawking instead of being discountenanced should be rather looked upon

with favour?—I really cannot answer the question. I have had no experience to enable me to give an answer to it. All I know is, that hawkers are generally supposed to sell their things cheap.

4826. One of your suggestions, as I understand, is that the proprietors of the market should have a statutory power given them to grant a permit to hawkers to hawk within the borough limit.—Yes.

4827. (*Sir Thomas Martineau.*) And at a fixed fee?—Yes.

4828. (*Mr. Maclean.*) That you have been doing, but you were advised that you had no power to do so?—Yes.

4829. (*Mr. Charrington.*) What charge did you make for these permits to hawkers?—(*Mr. Collier.*) Thirty shillings a year to a hawker with a horse and cart, 1*l.* a year to a hawker with a hand cart or barrow, and 10*s.* to a hawker with a basket; and we had to police the town for it; that is to say, we had to have our own police to keep these people under control.

4830. (*To Mr. Killmister.*) You stated that this hawking still goes on in spite of you?—Yes, the town is overrun with hawkers, because the decision of the

magistrates in simply inflicting a shilling fine acts as an encouragement to them; they think they are supported by the magistrates and they defy our Act of Parliament.

4831. (*Chairman.*) Do all the magistrates take the same view?—Not all, I believe. I am afraid those who take the view against us principally attend—the others keep away.

4832. (*Mr. Maclean.*) In the election for the town council is this made a burning question?—(*Mr. Collier.*) It is becoming a political question in the town; they are making it a political question.

4833. (*Sir Thomas Martineau.*) I think under the Act you cleanse the streets round the market?—(*Mr. Collier.*) Yes, we pay people for removing the refuse from the streets immediately in connexion with the market every week; formerly we paid the corporation for doing it, and we paid them 20*l.* a year; then they asked us more than double. They said that they would not remove it under 50*l.* a year; and now we pay 40*l.* a year to private contractors.

4834. You do nothing in the way of repairing, or lighting, or sewerage of the streets?—We pay our improvement rate, 5*s.* 10*d.* in the *£.*

The witness withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

NINETEENTH DAY.

Friday, 20th April 1888.

PRESENT:

THE RIGHT HON. LORD BALFOUR OF BURLEIGH IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, Bart., M.P.
SIR THOMAS MARTINEAU.

MR. WILLIAM C. LITTLE.
MR. JAMES ALLANSON PICTON, M.P.
MR. T. BARCLAY COCKERTON, *Secretary.*

Mr. WILLIAM JOHNSON CLEGG examined.

4835. (*Chairman.*) You are mayor of Sheffield, and have been a member of the town council for upwards of 15 years?—Yes.

4836. You are here by the request of the corporation to give evidence to-day?—That is so.

4837. You have been a member of the health committee for 15 years, and for eight years you have been its chairman?—Yes.

4838. And you have taken an active part in the affairs of the town?—I have.

4839. I believe the Duke of Norfolk has extensive rights with regard to the Sheffield markets, and has been in communication with the corporation with the view of a transfer taking place to the corporation?—That is so.

4840. Will you state the negotiations in your own way?—Previous to the year 1874 there was a good deal of talk about obtaining the market rights, and on the 12th of August 1874 the town council resolved "that the improvement committee be authorised to enter into negotiations with his Grace the Duke of Norfolk with a view of ascertaining whether his Grace will consent to transfer the Sheffield markets to the corporation, and upon what terms."

4841. The markets consist of (1) the Corn Exchange, for the sale of grain by sample; (2) the Fitzalan Market Hall, for the sale of butcher's meat, fish, game, poultry, &c.; (3) the Norfolk Market Hall, for the sale of vegetables and fruit by retail, clothing, boots and shoes, small wares, and all manner of miscellaneous goods; (4) the Castle Folds Market, for the sale of vegetables and fruit by wholesale; (5) the Smithfield Market, for the sale of hay, straw, and fodder, cattle, and swine; and (6) what is called the Sheaf Market, for the sale of miscellaneous goods?—That is so. I can give you the area of those markets. I am now reading from the report of the improvement committee which was presented to the council on the 27th of December 1875. The Fitzalan Market comprises an estimated area of 2,920 square yards; the Norfolk Market Hall comprises an estimated area of 3,630 square yards; the Castle Folds Market comprises an estimated area of 2,330 square yards; the Corn Exchange comprises an estimated area of 2,430 square yards; the Haymarket comprises an estimated area of 5,570 square yards, including about 1,200 yards for a proposed new road; the Smithfield Market comprises an estimated

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area of 13,600 square yards; and the Victoria Station approach and arches comprise an estimated area of 2,000 square yards, making a total of 32,480 square yards. Those were the markets proposed to be included in the purchase. The site of the present killing shambles is not included, it being considered desirable to remove the slaughter-houses as soon as possible to a more convenient locality. The improvement committee, in pursuance of the resolution I have read, appointed a sub-committee to confer with the Duke of Norfolk's agent, to ascertain upon what terms he would transfer the markets. Negotiations went on for some time, and on the 27th December 1875 the sub-committee made a report, which stated that on the payment of 267,450*l.* his Grace would consider any proposal which might be made as to the payment of the purchase money. The gross income from the markets during the year 1874-5 was 9,533*l.* 18*s.* 3*d.*, and the expenses taken on an average of the preceding six years amounted to nearly 30,000*l.*; and then it was computed that the gross income from all sources from Lady Day 1876 would be 10,000*l.* per annum. After the negotiations had taken place the committee came to the conclusion to recommend the corporation to give the 267,450*l.*, there was a condition proposed by the committee that his Grace should allow the purchase money to remain on mortgage at 3 per cent. interest, and accept payment of the same by instalments of principal and interest spread over a period of 50 years. Taking the purchase at the net amount of profit that the Duke of Norfolk was then making out of the markets, 6,563*l.*, it was a little over 40 years' purchase, but taking it at the estimated amount that it was to come to by the end of the then year in which the negotiations were taking place it was 38 years' purchase. The corporation approved of the bargain that the committee proposed, which decision was communicated to the Duke's agent, and on the 5th of February 1876 the Duke's agent handed to the town clerk a letter which he had received from Messrs. Few and Company, the solicitors to the Duke of Norfolk, a copy of which letter I have here. It is dated 4th of February 1876. That letter contained the following terms as being those proposed by the Duke of Norfolk: "The proposed terms as to rate of interest and times of payment cannot possibly be accepted, but the Duke of Norfolk and his trustees are disposed to sell those markets at the figure of 267,450*l.* on the following basis:—1. Ten per cent., that is, 26,745*l.*, to be paid down on the signing of the contract; 40,705*l.*, with interest at 4 per cent. on the amount remaining due, to be paid in 12 months' time; and the payment of the residue (being 200,000*l.*) to be spread over 25 years, and reduced by annual instalments of 8,000*l.* each, with interest at 4 per cent. on the amount from time to time remaining unpaid, such interest to be payable half-yearly. 2. The nature of the security to be given for the 210,705*l.* and the interest accruing due thereon will have to be carefully considered and approved on behalf of the Duke of Norfolk and his trustees, and as to which at present we have no information." Then the next paragraph expresses a doubt as to whether it could be done without an Act of Parliament. Then the fourth paragraph is: "The corporation would not, of course, be allowed to enter into possession and receipt of the markets' income until the purchase is completed. 5. Some fair limit of time must be specified within which the contract (if entered into) must be carried out." I do not think there is anything further in that letter that I need read.

1842. What action did the corporation take with regard to that letter?—The improvement committee resolved, "That this committee, having heard read the foregoing letter from Messrs. Few and Company, are of opinion that the proposal for the purchase of the Duke of Norfolk's market rights upon the terms indicated in that letter cannot in the interests of the town be further proceeded with,

"and that the chairman be requested to move a resolution to this effect at the next meeting of the council." The next meeting of the council was held on the 9th of February 1876, and what had been done was reported to the council, and the recommendation of the committee was all but unanimously adopted. Personally, I suggested that instead of ceasing all further negotiations they should keep the matter open and try to negotiate further, but the council were so indignant at the terms attempted to be imposed that they would not do anything more, and the resolution of the improvement committee was confirmed by the council at that meeting held on the 9th of February. Subsequently another letter was received from Messrs. Few and Company, dated the 16th of February 1876, and upon the receipt of that letter the following resolution was adopted by the improvement committee: "That the town clerk be instructed to acknowledge the receipt of Messrs. Few and Company's letter of the 16th instant, and to say that the committee, while regretting that any annoyance should have been occasioned to his Grace the Duke of Norfolk or to his trustees, would point out that the publication of the newspaper reports in question was not only unauthorised by the committee but contrary to their wish, and also that any remarks which were made by any members of the council at the meeting on the 9th instant were made by those gentlemen in their individual capacity alone, and that the committee have in compliance with the request of Messrs. Few and Company ordered their letter and this reply to be entered upon the minutes." Then some time after that an attempt was made to open negotiations afresh, but nothing came of it. In the expectation that the arrangement would be carried out the council authorised notices to be given for an application to Parliament to enable the corporation to carry out any arrangement that might be made, and the usual steps were taken for some time till the negotiations fell through, and then, of course, the application dropped. In the year 1872 the Duke of Norfolk obtained an Act of Parliament known as the Sheffield Markets Act, 1872, under which he is authorised with the consent of the court of quarter sessions to make certain rules and regulations as to the prices to be charged for the spaces occupied in the markets. The amounts which the Duke is authorised to charge under the Sheffield Markets Act, 1872, are very considerable, but from inquiries I have made I find that in a great many cases he does not charge the amounts which he is legally entitled to charge; at the same time this may on future occasions be made a source of annoyance to the persons who occupy the markets if there should be any great amount of competition for places. In my judgment the maximum which the Duke is entitled to charge should be very considerably reduced; and I am of opinion that the markets should be under the direction and control of the corporation, not only at Sheffield, but in every municipal borough, and that power should be given to the local authority to compulsorily purchase such markets at a reasonable price. In Manchester and a great many other places the markets are vested in the corporation, I consider that such price should not be less than 15 nor more than 20 years on the net amount received during a period of six years preceding the date when the purchase takes place, and that no sum should be paid for compensation for prospective increase in the income, inasmuch as the owner of the markets really does nothing to improve the town and its manufactures, and that it is a monopoly that ought to be abolished as speedily as possible.

1843. Would that basis be sufficient to cover any capital expenditure which the Duke of Norfolk or any other market owner might have expended upon his property?—So far as the Duke of Norfolk is concerned I think 20 years' purchase would recoup him all the money he has spent upon what I may call the old markets; but since we have been in negotiation with him he has spent a large sum of money in pull-

ing down the old Corn Exchange and converting it into a covered market, and also in the erection of the Corn Exchange offices, and so forth, and I very much doubt, though I have no data to go on, whether he gets as much as 3 per cent. upon what he has expended.

4844. I may tell you that the owner of the market, in a statement signed by himself in answer to the question "What is the amount of the capital expenditure incurred in respect of the provision of market accommodation?" says, "This exceeds 200,000*l.*, besides the money paid for some of the sites, which latter it would not be easy to ascertain as such sites were acquired long ago"—I cannot speak to the capital expenditure; I remember a good many years ago he bought by compulsory power the interest of some of the leaseholders who held by lease under him, he having the fee in himself, I do not know what he has expended on this new part.

4845. You would like some more detailed information before expressing any opinion as to what the capital expenditure has been?—Yes, as to the new part, but as to the old part of the market 20 years' purchase would amply compensate him for that, if not, he is not making much out of his investment.

4846. You are aware that the net income of the market has considerably increased since the time you speak of?—Yes, that must of necessity have been so because of the expenditure of the large sum of money I have just referred to.

4847. The net income is stated to be now rather over 10,000*l.* a year?—Then according to that it has increased something like 3,000*l.* a year since 1872.

4848. In addition to the markets, does the Duke of Norfolk own some slaughter-houses?—Yes, there are some slaughter-houses belonging to the Duke of Norfolk. For a very long time we have been complaining of those places; they are erected on the river bank, and the refuse from them at one time went into the river, and they were an intolerable nuisance. There were some little things done to them so as to prevent refuse going into the river, and so forth, still they are very far from being satisfactory. Under the Act of 1872 the Duke got power to erect new slaughter-houses, but he has not done so up to the present time. On the 4th of February 1886 the health committee resolved: "That the attention of the Duke of Norfolk be called to the urgent necessity that exists for the provision of proper and sufficient public slaughter-houses in the borough of Sheffield, and that his Grace be respectfully requested to inform this committee when it is likely that the erection will be commenced with the slaughter-houses authorised by the Sheffield Markets Act, 1872." We had previously called his attention to it, and we thought the time had come when he had had sufficient time to consider the matter that resolution was sent to Mr. Ellison, the Duke's agent. On the 12th of February he acknowledged the receipt of the resolution, and said that the subject should be brought to the notice of the Duke of Norfolk at the earliest opportunity. Then in the month of May 1886 we had a visit from Dr. Davies, one of the medical officers of the Local Government Board, and he made a report to the health committee on various matters, and one of the things that he said were required was this: "The provision of a well constructed and properly situated public slaughter-house. This is a very marked and pressing need in this sanitary district; many of the existing slaughter-houses are quite unsuitable for the purpose, and the situation of these is frequently very undesirable." A copy of that was sent to the Duke's agent, Mr. Ellison, on the 1st of June 1886; and on the 18th of June Mr. Ellison acknowledges the receipt of it, and says: "With reference to the inquiries made in your letters of the 11th February and 1st June of this year, I have been considering the requirements demanded by the supplies of meat to the town in order that I may submit to the Duke of Norfolk the information which his Grace will require before he can deter-

mine the nature and extent of the accommodation to be provided to meet them. For this purpose it appears to be necessary that I should know what is the intention of the corporation as to the private slaughter-houses, of which there are a number now licensed in different parts of the town. Is it contemplated that private places for this purpose shall continue to receive licenses, or is it intended that all parties shall be compelled to use the public slaughter-houses authorised by the Sheffield Markets Act, 1872?" On the 25th of June 1886 the town clerk replied as follows to Mr. Ellison: "Your letter of the 18th instant has had the careful consideration of the health committee of the town council, who direct me to inform you that the council have not the power to prevent the use of the private slaughter-houses which are now licensed or registered, but in the event of public slaughter-houses being erected by the Duke of Norfolk the committee would use their influence to induce the occupiers of unsuitable slaughter-houses to avail themselves of the better accommodation provided by his Grace. The committee have reason to believe from the report of their officers that the occupiers of many of the existing slaughter-houses would readily use superior premises if such were provided." We instructed the officers of the health department to make those inquiries, and that was the result. Then Mr. Ellison writes a letter simply acknowledging the receipt of the town clerk's letter of the 25th of June, and asking if we could give him the present number of licensed private slaughter-houses. The town clerk on the 9th of July, in reply to that letter, says: "There are 190 private slaughter-houses in the borough of Sheffield. Of these 140 are registered, and 50 are licensed. The distinction is, as you are aware, that the registered slaughter-houses are such as were occupied for the purpose before the adoption of the Local Government Act in Sheffield in 1864, and the licensed premises are such as have been established since that date." All the old slaughter-houses were entitled to be registered and did not require to be licensed; but from 1864, when the Act was adopted, to the 9th of July 1886 we had only really licensed 50 of those over which we had any jurisdiction. Then matters stood from July 1886 till 7th of January 1887, and not having heard anything more from the Duke of Norfolk or his agent, the town clerk was then directed by the health committee to refer Mr. Ellison to the correspondence that took place in the preceding year with reference to the condition of slaughter-house accommodation; and then the letter goes on as follow: "The committee are convinced that it is becoming imperatively necessary that such additional accommodation should be provided, and they will be glad to learn in compliance with their previous request what decision his Grace has arrived at on the subject." Two or three days after, on the 10th of January, Mr. Ellison writes: "I am not yet in a position to give a conclusive reply to your letter of the 7th instant. A great deal of trouble has been taken to acquire information on this subject, and many visits have been paid to towns in which it is considered the most approved and effective provision has been made for all purposes in connexion with the meat supply. All this information is now about to be submitted to the Duke of Norfolk, and his Grace's instructions taken. The decision when arrived at shall be communicated to you." No further correspondence took place until the 14th of May 1887, when the town clerk was again requested to call Mr. Ellison's attention to the matter, and in his letter he says: "The committee will feel obliged if you will inform me whether his Grace has yet given any instructions with regard to the information which you state in your letter of the 10th of January last was about to be submitted to him." Two days after, the 16th of May, the Duke's agent wrote: "Owing to circumstances to which I think it unnecessary more particularly to refer, the informa-

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"tion I have obtained has not yet been submitted to the Duke of Norfolk. It will, however, be before his Grace within a few days." We knew the trouble the Duke was in just at that time; that was really a good reason why nothing was done. Then on the 30th of June 1887 the Duke's agent writes as follows: "I have had plans prepared for new slaughter-houses to be erected on the site scheduled in the Markets Act, 1872, adjoining Bernard Road, and I have requested a few of the butchers to attend here on Thursday next at 12 o'clock. Should the chairman of the health committee with yourself desire to attend (informally) on the occasion I should be very glad to see you." The town clerk replied that we would attend. I was not able to go, but the plans were sent up to the next meeting of the committee, and, with very few alterations in detail, they appeared to be very suitable; the site chosen I thought was admirable. On the 8th of July we thanked him for the plans. Then from July 1887 to March 1888 we heard nothing further from the Duke's agent, and on the 17th of March 1888 the town clerk was instructed to write this letter: "I am directed by the health committee of the Sheffield town council to again call your attention to the desirability of proceeding with the erection of the slaughter-houses proposed to be erected by his Grace the Duke of Norfolk near Bernard Road. You will remember that early in July last you were good enough to send, for the inspection of the health committee, certain plans of the proposed buildings, and you promised to forward to the committee the detailed plans of the same when completed. The committee will be glad to learn whether such detailed plans are now ready." On the 21st of March 1888 we received this letter from the Duke's agent: "Almost immediately after the submission to the health committee of plans for proposed new slaughter-houses, I found that the land proposed as the site for them could not be adapted to the purpose except at very considerable expense. I therefore considered it desirable to change the site if this could possibly be done. This proposed change of site, however, involved very considerable delay, and it was not until the end of the year that I could satisfy myself that it could be effected. By that time the Royal Commission on Market Rights had been constituted, and I have judged it advisable, awaiting the report of the Commission, to advise the Duke of Norfolk to postpone any further considerable expenditure in connexion with the markets. I have come to this conclusion the more readily because more than one half of the number of beasts and sheep slaughtered are slaughtered upon premises over which, being the property of his lessees, the Duke of Norfolk has no control." So, with the exception of the slight improvement that has been made, we are now in the same position with reference to these slaughter-houses as we were in 1872, when the Act was obtained. The reason now given for not carrying out what was proposed is the sitting of this Commission. The Duke of Norfolk claims a monopoly, and has, in fact, the monopoly of the markets, and also of the erection of slaughter-houses, and we are obliged to submit.

4849. I understand you complain of the monopoly; but do you complain of the charges which the Duke is allowed to impose under his Acts, and does impose?—I think the amount that he is entitled to charge is excessive, but I do not think the amount he actually does charge is thought by the persons who sell goods in the markets to be excessive.

4850. Considering the capital which he has expended?—That is so. There is no complaint, that I am aware of now, as to the suitability of the markets or the charges that are made; but there is a power to levy, what I consider, high charges.

4851. You think that the corporation of an important town like Sheffield should have the control of a matter so vitally affecting the interests of the inhabitants as markets and slaughter-houses?—I do.

4852. (*Sir Thomas Martineau.*) You were willing to give in 1875 a price which was from 38 to 40 years' purchase on the profit?—Yes.

4853. I suppose that such a price as that was arrived at a good deal with the expectation of a future increase?—Yes. There was some talk about future increase, and the course of events proved that that was right to some extent.

4854. To the extent of nearly 4,000*l.* His profits in the year 1874-5 were 6,538*l.*, and his average yearly profits between 1884 and 1887 are 10,404*l.*, so that the increase is nearly 4,000*l.*?—In the report by the improvement committee it is stated that the income would be 10,000*l.* by the end of the year 1876-7 and the expenses 3,000*l.*, leaving 7,000*l.*, so it is an increase of 3,000*l.*

4855. How has that increase been obtained?—By the expenditure of a very large sum of money in providing additional accommodation, and we should have had to expend that in addition to the purchase money.

4856. So that if the corporation had bought them they would have had to go to this large outlay?—Yes.

4857. Do you know how much has been expended since 1877?—I do not; I should think from 50,000*l.* to 100,000*l.* At that time what was called the Corn Exchange was a very small place, and there was a large public-house at the front of it; that was all cleared away and made into a covered market which people had been wanting for a very long time. Then the Duke built what is now called the Corn Exchange, which is a large place; there is a very large public-house at the corner, and the Duke's offices and a great number of shops.

4858. Do you think the money has been well laid out?—I would not like to say that I do not think it has.

4859. Are the markets well situated?—Yes.

4860. And is there accommodation for everybody who wishes to use the markets?—Yes, I made some inquiries the other day, and so far as the covered market is concerned I was told there were a few vacant places, but not many. I should suppose in the course of a few years it will have to be increased in some way, but how it will be done I do not see.

4861. Has any part of this increase in the profits from 7,000*l.* to 10,000*l.* been obtained by the increased receipts from tolls and stallages?—No, I do not think so. I should think a great portion of the increase would come from the lettings of the new buildings and the charges for the use of the new Corn Exchange.

4862. At the time the negotiations were going on you lodged a Bill in Parliament, which I presume was chiefly for the purpose of enabling you to raise money for the purchase of the market?—It was to enable us to purchase, and give security.

4863. Did you at all consider then whether you would apply for compulsory powers in the Bill?—No, we did not; we thought that if we could not do it by agreement we should not be able to carry a clause to compel the Duke to sell.

4864. I think there are some precedents for a clause of that kind?—I do not remember any; at all events we did not think it advisable to apply for such a power; we did not consider the question as to whether we would go for power to compel the Duke to sell.

4865. Supposing a general Act should be passed giving corporations the power of compulsory purchase in a case like this, would that meet your case in Sheffield?—Yes, I should think it would.

4866. That is to say, with the usual provision for a reference to arbitration in case you differed as to price?—I think in any general Act the amount of purchase should be fixed in some way upon the profits that had been made out of the market for any period the legislature thought right.

4867. You would limit the discretion of the arbitrator in that way?—Yes, there is so much to be said about prospective value, that is the terrible thing you generally have to deal with in buying these things.

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4868. A word about the slaughter-houses. I presume the 50 you have licensed are suitable places?—Yes, certainly. The plan we adopt is this: that a person who wants to open a slaughter-house makes an application to the health committee, we then refer that to the medical officer of health, who goes and inspects the place, and he reports to the health committee upon it; and if he in his judgment considers that it is not a proper place to be licensed we refuse to license it. We have refused scores.

4869. As to that there is no complaint?—No; of course I could not say so much about the others—those that are registered. Those were in existence before 1864, when the Public Health Act was adopted; and we have no option but to register them and have them inspected periodically, so as to see that they are kept clean, and so forth. But we have no power to say that they should not be continued. However, I should think we have got to the end of that lot now, so in future it will all be licensing.

4870. The owner claims a vested interest in them, does not he?—Yes.

4871. And sells it?—I have never heard of his selling it, but I should think he does.

4872. You do not find practically that the number is diminishing, I suppose?—No, I do not think so; I am not in a position to say whether they are or not diminishing.

4873. Some of them, you consider, ought never to have been licensed houses at all, I presume?—If we had the power to prevent them being used, I have not the least doubt in the world that the health committee would prevent them being used.

4874. I do not understand what the nature of the Duke's interest in the slaughter-houses is?—He claims the right to have the monopoly of the slaughter-houses, if I may use the word. He took power in his Act of 1872 to erect new slaughter-houses, and to sell the site of the present slaughter-houses when the new ones were erected.

4875. But supposing a man applies to your health committee for a license to slaughter at his own place, can you grant him such a license?—Yes.

4876. Then am I to understand that, as to the houses you have licensed since the Public Health Act, and as to those in private hands registered before the Act, the Duke of Norfolk has no claim whatever?—None whatever.

4877. And you can go on licensing private houses to any extent?—Yes.

4878. Then with regard to slaughter-houses the Duke does not seem to have much of a monopoly?—His monopoly is limited in the way I have stated. But Sheffield is a very large place, and we are of opinion that if there were some good slaughter-houses erected near the markets—(I should have said that the Duke's slaughter-houses are close by the markets)—most of the animals would be slaughtered there, and we could control the thing very much better than we can now.

4879. Sheffield is a growing place?—Yes.

4880. It is rapidly increasing?—Yes.

4881. What provision do you think it is desirable to make in any legislation as to slaughter-houses?—I confess, so far as the country is concerned, I do not know, but the Duke would prevent us erecting a large number of slaughter-houses in the centre of the town, or in a suitable situation, because he claims the right to do it under his Market Act. That is what I have understood.

4882. I presume what you would like to see would be a set of slaughter-houses erected by the corporation, and owned and controlled by the corporation, just the same as you would like to see the markets owned and controlled by them?—Yes.

4883. Do you think that in addition it would be a desirable thing to give a power to local governing bodies to put a stop to private registered and licensed houses?—I think it would be a very great convenience to the authorities if all the animals that had to be slaughtered were slaughtered at one place; the

inspection of the meat before it went out could then be carried on with very great advantages, instead of, as now, having 200 places where animals that are not fit to be sold are killed, and the meat not being fit for human food. Instead of having slaughter-houses in 200 places, if we had them all together it would be a very great convenience and a public advantage.

4884. And you think by arrangement many of the owners of these existing slaughter-houses would come over to your public abattoir?—Yes.

4885. In your opinion would it be well to have in the background a power of compulsion which you might use if necessary?—Yes, I think so.

4886. Would you give compensation to any owners of slaughter-houses who so came over to you?—I do not see what compensation they would require. I have a very strong objection to these compensations—one never knows what they come to. Your experience is greater than mine, but it is astonishing what a valuable interest a thing has when it has to be paid for by the public.

4887. (*Mr. Little.*) I understand you to say that the markets would probably have to be extended before long to meet the growth of the population?—In perhaps 15 or 20 years.

4888. Are you in favour of concentration of markets in one place, or of having markets in different parts of the town?—I think that so far as Sheffield is concerned I should like to see another market at the other end of the town. The Duke's market is at the east end.

4889. Do you think the town council or the borough authorities would be able to judge better as to the requirements of the town than a private owner?—I think so.

4890. That would be an argument for placing the whole power in the hands of the municipal authority?—I think so; the members of the council come in contact with the burgesses, and they would get their will and opinion very much better than a private individual.

4891. You say that the tolls actually taken are not complained of, but you think those authorised excessive?—Yes.

4892. Suppose the corporation purchased the markets would you give them the power of taking the same tolls as the Duke has now power to take?—No, I do not think I should. I should limit their powers. I would let them take what was thought to be fair and right, and what was fixed would be what should be taken. It appears to me to be rather dangerous to allow a person to have the power to take, say, 75 per cent. more than he is taking in some cases. I suppose the Duke of Norfolk is only taking about 25 per cent. of the amount he is entitled to according to his table of tolls allowed by the court of quarter session.

4893. One ninth of what he is entitled to take in one particular case?—Those I inquired into I found to be about 25 per cent. of what he had the power to take.

4894. The scale of tolls being fixed would you think that the town authority should look to get a profit on the market, or simply to get from the tolls enough to pay the expenses and interest on the cost?—That is rather a difficult question, I think they must have more than would pay the interest and the expenses, because Parliament requires that when these undertakings are purchased the purchase shall be paid off in 60 years.

4895. When I said interest, I meant interest and sinking fund to repay the capital within a limited period?—I think that if the amount of income was sufficient to pay interest and sinking fund that is all it ought to be.

4896. There are tolls taken beyond the limits of the market on some articles, are there not?—Yes, on hay and straw and green produce sold at stations, and so forth.

4897. Is there any complaint about that?—Yes, a great deal of complaint.

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4898. And a great deal of inconvenience?—Yes.

4899. And the proceeds are very small?—I should think so.

4900. If it is as stated that the income from that source is only 6*l.* or 7*l.* a year, would not you say that the inconvenience was out of all proportion to the revenue?—I should think that the amount stated would probably be the amount which was received, and I should have thought that the Duke of Norfolk, to save himself trouble, would have voluntarily given that up. I have a sort of a floating impression in my mind, but I cannot ascertain how it has arisen, that years ago, when Sheffield was nothing like the size it is now, and when fairs were held in the town, that the shopkeepers used to put out in front of their shops stalls to sell things to people passing by, and the Duke of Norfolk claimed tolls even upon those; those appear to be gone now, principally because we do not allow them to put the stalls out.

4901. Will you tell me whether in the Corn Exchange, which seems to be a large building, the corn is brought in in bulk?—No, it is simply a sample market.

4902. (*Sir James Corry.*) I presume that the opinion you express with reference to the corporation being the market authority is generally held by the corporation?—Yes, it is.

4903. And you consider it desirable that the markets in such a place as Sheffield should be entirely under the control of the town council, and that the surplus revenue, if there should be any surplus revenue, should go towards a reduction of the rates?—Yes, if there were any surplus it would go in that direction.

4904. But from what you have said I gather that the Duke of Norfolk seems to manage the market satisfactorily, except in the matter of slaughter-houses?—Yes, leaving out the slaughter-houses, I do not think at the present time anyone complains at all of the manner in which the Duke manages the market. Previous to the time I have been speaking of there were great complaints, because one part of the market was open, but now it is covered over, and those complaints have ceased.

4905. The Duke has expended money, you think, judiciously in improving these markets?—Yes, certainly; as to covering over the market, I think it was money very well spent.

4906. And had the purchase of the markets at the time it was contemplated been carried the corporation would have had to incur that additional expense beyond the purchase of the markets?—Yes, we should have covered the open space and made it a covered market. I do not say we should have spent the money that the Duke of Norfolk has spent in erecting the new Corn Exchange. I scarcely think we should.

4907. You think that the increase of income has arisen chiefly from the improved markets?—The profits have naturally increased from the markets in consequence of the increased population, but they would not have increased from 7,000*l.* to 10,000*l.* net if the Duke had not erected the new Corn Exchange and the shops and the public-house thereabouts.

4908. Suppose any extension of the market was required, has the Duke a better opportunity of making such extension than the corporation would have?—Yes, the property round about there belongs to the Duke, and, I suppose, in 15 to 20 years from now a

great portion of the property on the opposite side of the street to where the markets are now erected will all fall in to him, and if the market should want to be increased in that period he will have the land on the opposite side of the street upon which he could extend the markets.

4909. So he would have a greater facility in that respect than the corporation would have?—Yes, though of course the corporation could buy the land and they would have the same facility.

4910. They would have to pay for it?—Yes.

4911. You have expressed the opinion that you think 20 years' purchase would be a sufficient remuneration to the Duke of Norfolk for his market rights?—Yes.

4912. Does that include the value of the site of the market?—Yes.

4913. You do not allow for any prospective increase?—No.

4914. In 1875, when the corporation was prepared to give 267,450*l.* for these market rights, according to your present ideas you were very liberal?—Very liberal, and I think the Duke of Norfolk made a great mistake in not taking it.

4915. With reference to these slaughter-houses, you told the Commission that the corporation have power to license additional slaughter-houses?—Private slaughter-houses.

4916. But they must be in connexion with the place where the man carries on his business?—Yes, we always take care of that.

4917. But the old slaughter-houses you have not the same control over?—No, our inspectors go and examine the meat that is there; but then each slaughter-house is only of a very limited extent, and they are in very improper positions.

4918. Have you any hawkers or costermongers in Sheffield?—No, there are very few.

4919. With reference to additional markets, you do not think that they should be concentrated in one place?—No.

4920. (*Chairman.*) In the course of your examination you have said that in any general Act of Parliament giving power to corporations and local authorities to purchase market rights compulsorily, you would give a direction to the arbitrator not to exceed a certain number of years' purchase?—Yes.

4921. Do you think that if that direction was given it would be a sufficient direction without giving him also a direction to take into account the amount of capital which the present owner of the market had expended?—No, I think if the owner of the market had expended more money than 20 years' purchase would repay he would be fairly entitled to a consideration on that account.

4922. What is the population of Sheffield at the present time?—The population now is estimated at 320,000.

4923. Does that include any of the suburbs?—The parish of Sheffield and the borough of Sheffield are co-extensive; it includes the population of the parish and borough of Sheffield.

4924. What was it in 1871?—In 1851 the population was 52,231; in 1861 it was 185,155; in 1871 it was 239,947; in 1881 it was 284,508; and now, according to the report of our medical officer, the population is about 320,000.

Mr. MATTHEW FOLLIOTT BLAKISTON examined.

Mr. M. F.
Blakiston.

4925. (*Chairman.*) You are senior partner in the firm of Messrs. Hand and Company, solicitors, Stafford, and are clerk of the peace for the county and town clerk for the borough of Stafford?—Yes.

4926. You have been town clerk since 1875?—I have.

4927. And you are authorised by the town council to give evidence before this Commission?—Yes.

4928. We have had one witness from Stafford, Mr. John Follows, and I believe you have been furnished with a print of his evidence?—I have.

4929. In 1875-6 the corporation promoted a Bill which, amongst other powers, took power to erect a butchers' market?—They did.

4930. And in 1880 the butchers' market was erected, comprising 40 stalls?—It was.

4931. Since 1880 the number of stalls let has varied from 33 to 35?—Yes.

4932. Is it the case that at the present time the whole 40 are let?—Yes.

4933. Have there been any applications for more?

—There has been only one other application besides the 40.

4934. So that the butchers' market is sufficient for your requirements?—Yes. Mr. Follows stated that it was insufficient; he said there were numerous applications which could not be granted. That is not so.

4935. Then beyond the powers conferred upon the corporation by their Act they claim as lords of the manor to have market rights in Stafford?—They claim to be lords of the manor with market rights not prescribed by metes or bounds, and therefore they claim a right to move the market from place to place as long as they provide sufficient accommodation and give due notice to the public of the removal.

4936. Has anybody complained of anything that the corporation have done with respect to the markets, or complained that they have not done what they ought to have done?—Mr. Follows, who represented himself as speaking for the freemen, has. The inhabitants have not moved at all; it was entirely a freeman's opposition.

4937. Have you interfered with the freemen in any way?—They think so. They fancy they have at the present time all the powers which freemen ever had in the memory of man or beyond; for instance, our charter of King John enabled the burgesses of Stafford to go toll free through the whole of the kingdom except the City of London. I think some of our freemen fancy they have those rights now.

4938. We had some evidence from Mr. Follows to the effect that he had been summoned before the magistrates, and that he pleaded his right to stand in a particular part of the market, and that that plea ousted the jurisdiction of the magistrates, and he gave us to understand that he had won his case; have you any remarks to make upon that statement?—The circumstances were these. Since we opened the market in 1881 we have claimed the right to prevent stalls being put up in the open market place, and, as a matter of fact, for the last 18 months we have insisted upon that right, but one stall was kept up by an old woman, and the only way of enforcing the right was to take proceedings against the old woman. Mr. Follows deprecated our action in that respect, so I challenged him to put up a stall, saying I would have it taken down if he did so with a view of getting the question of the freemen's rights decided. When we came before the magistrates, instead of joining issue and allowing me to take a case to raise that general point, he raised the question that he was a person born before June 1835, and, therefore, a freeman by heritage. Now, I never contended that those persons who were born before June 1835 had not any rights. I say all freemen's rights are extinguished, except as regards persons who were alive before June 1835, and they are freemen by heritage. Of course, Mr. Follows was an infant in June 1835, but I am inclined to think, having become a freeman afterwards, his freeman's rights date back to his birth, and that being before June 1835 I did not go on with the case. The magistrates decided that they had no jurisdiction because he claimed his right as a freeman, and I could not deny that he was a freeman by heritage.

4939. That was not the point which you understood was to be raised when the question was agreed to be tried between you?—That is so.

4940. What has been the average amount of net profit taken from the market by the corporation in the last few years?—I want to correct the evidence of Mr. Follows upon that point; he states that before the new buildings were built the tolls were let during the time he was market inspector for 650*l.* per annum. They never have been let for 650*l.* per annum, the highest letting was 620*l.* and the lessee failed, and the corporation did not get the money eventually. The highest sum ever received was 615*l.*, but that was gross, that was in the year 1866–7, the accountant has made me out the account of that year which shows that the balance received by the corpora-

tion after deducting necessary expenses was only 438*l.* 11*s.*

4941. Is that balance arrived at after allowing for interest upon the money expended?—We did not spend the money on the new buildings till 1880. This is 1866–7. Then by way of contrast, taking our answers to queries 10 and 11, Mr. Follows says the tolls now only realise a little over 200*l.* per annum; but it is stated in our answer to query No. 10, that during the three years ending March 1887 there was a special structural outlay of 553*l.* 10*s.*, that amounts to nearly 200*l.* a year beyond the ordinary expenses, it is 180*l.* a year more. I have had the account made out for the last year, which is a fair average one, and the amount which as a matter of account we pay over from the market to the borough fund is 396*l.*; therefore I say the real contrast is 400*l.* now against perhaps 440*l.*, and that really bears out the estimate which I have in my hand, based upon the information of the market inspector, showing that the difference of having the open space occupied or not is only 40*l.* or 50*l.* at the outside. When I say 396*l.*, that is after paying over 50*l.* in repayment of principal towards the new buildings, besides interest, therefore there is practically no difference.

4942. Do I rightly understand you to say that there have been absolutely no complaints from those who buy and sell in the market as to the management of the market by the corporation?—Absolutely none; before we built the butchers' market repeated memorials were sent in by the butchers, but the establishment of that market satisfied them. The only other memorial that we have had has been from the freemen saying, "Having seen that the town council of this borough are about to close the market square against the sale of any marketable commodities: Hereby protest against it being closed, it having been a freeman's right from the time of the charter granted to this borough."

4943. What is the date of that memorial?—January 1887.

4944. Is there any other point that you would like to say anything on?—I should like to say this. The inference to be drawn from Mr. Follows' evidence is that the action of the corporation, though as I say it has never been complained of either by residents or outsiders, is to enhance the price of things. I have made very careful inquiries, and I find that as regards the prices of meat Stafford is exceptionally fortunate, and some of the leading tradesmen who are not butchers go as far as to say that if the particular outside butchers, for instance, whom Mr. Follows referred to as not being allowed to stand in the open market, were allowed to come into the town and sell their meat where they pleased it would inevitably ruin some of the local butchers because prices are so finely cut already.

4945. (*Mr. Childers.*) How do you collect the tolls on commodities which do not go to the market?—They arrive by train, and then on being brought away in a basket or on a cart the toll or due would be demanded outside the station by the inspector or one of his assistants at the station exit.

4946. At the station exit?—Yes.

4947. And if the commodities arrive by road how do you deal with them?—We should stop them at the entrance to the borough.

4948. Then if I was a farmer living near Stafford, and if I brought in my cart marketable commodities which were not intended for sale in Stafford, should I be liable to have my cart stopped in the road by the inspector?—Yes, if you said that your goods were not for sale, and the inspector thought they were, you would be watched, and when you got to a shop or to any individual to whom they were to be sold a toll would then be demanded.

4949. Do you keep people on all the roads to look after these tolls?—No. Stafford is a small place, and the inspectors know pretty much where the things are bought and sold if brought in for the purposes of sale.

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No doubt a great quantity of goods are brought into the town and sold without paying toll.

4950. And the people who smuggle them in get the advantage of not having paid the toll?—To that extent.

4951. Your town is very like a French town where there is *octroi* duty, with this difference, that they do practically collect all their tolls, while you practically do not collect all your tolls?—I think they collect tolls on commodities whether for sale or not. I believe we did in former days, but we do not claim to do so now, we only collect toll on articles brought in for sale.

4952. Your officer follows up the cart in some way or other, and if he finds the goods are delivered at a house where they are not going to be sold no toll is levied?—That is so.

4953. But if delivered at a shop where evidently the goods are going to be sold the toll is levied?—Yes. It is not levied if the goods which are brought in are intended as a gift, or if they are brought in in pursuance of a contract. Supposing a farmer in the neighbourhood contracts to supply an hotel with all the butter they want we do not claim the right to levy toll on that butter; it is a delivery pursuant to contract and not for sale.

4954. Can you give any idea how much toll is levied in that way per annum, and how much is evaded?—I cannot; I hoped to have been able to do so, but I find it is only on five days in the week that they keep a separate account of what they call these casual tolls, on the market day the inspector has not been in the habit of distinguishing his receipts.

4955. He does not separate in his accounts what he receives at the market from what he receives in the town?—Not on market day; on other days there is nothing but these tolls scarcely received, and those speak for themselves.

4956. Have you ever had any litigation on the subject?—No.

4957. Cannot you give us any idea what proportion of the goods brought into the town to be sold escapes toll; is it half or three-quarters?—I cannot give you that.

4958. Could not the inspector tell us?—He would probably say that very little escaped.

4959. As your servant, he would not confess that he let any great quantity escape?—No.

4960. But the authorities know that a great deal does escape?—I have not the slightest doubt about it.

4961. May that be reckoned at 100*l.* a year?—No, not 100*l.* a year. Stafford is only a small town.

4962. In your answer to the 11th query, you state that your tolls altogether amount to only 168*l.* a year?—The butchers tolls are now in the form of rents for the stalls; those used to be about 200*l.*

4963. Do you know any other borough in your neighbourhood where this practice exists of taking toll on marketable commodities brought into the town to be sold?—I did hear that there was one, but there is not one anywhere near us.

4964. You could not speak for boroughs at a distance, probably?—No. I can safely say there is no other borough in Staffordshire where a similar practice prevails.

4965. (Sir Thomas Martineau.) Have you any idea of the number of freemen whom Mr. Follows represents?—No.

4966. I am rather surprised that he should have any backing at all if those in respect of whom he can claim the rights that he does claim are only those born before 1835?—All the freemen fancy they have these old rights; nothing will make them believe that they are extinguished; I hope a paragraph of your report may enlighten them a little upon that.

4967. How many freemen are there?—There are about 500 freemen occupiers and 200 non-occupiers. A great many of the freemen are men of position.

4968. What is the population of Stafford?—20,000.

4969. That is in the enlarged borough?—Yes.

4970. (Mr. Little.) On these goods which are brought into the town for sale and which are not sold in the market, do you charge the same tolls as you do on similar goods if sold in the market?—Yes.

4971. Is there a toll board put up showing what toll people have to pay upon their goods?—No. People generally know what the tolls are; we issue little handbills stating what the tolls are.

4972. You said no toll was charged on goods brought into the town in pursuance of a contract; but suppose corn were bought in your market, and afterwards delivered at a mill in the borough, would that corn pay toll in bulk?—No, we do not get any toll on corn.

4973. (Mr. Childers.) Is there no mark on the road of any kind; no post or board to show that a person bringing in commodities is within the borough, and that those commodities are taxable?—Yes; in the last few years we have had large stones put up with iron plates on showing the borough boundary. People in carts would not notice them probably.

4974. Country people would not know that the goods they were bringing in were taxable when they passed those stones?—Stafford is so small a place that the people know when they get to the borough boundary, and the inspector knows everybody who comes in and everybody who buys. It looks a difficult matter, but practically it is very easily arranged.

4975. (Sir James P. Corry.) Did Mr. Follows represent a large body of the inhabitants of Stafford when he gave evidence before the Commission?—I should say certainly not.

4976. He does represent a number of the freemen?—He represents a few with the loudest voices, but he represents neither influence nor number.

4977. On the whole, the management of the markets by the corporation is, so far as you know, satisfactory to the general public?—We have never had a deputation or memorial from anybody except on this freemen's question.

4978. (Chairman.) I hold a letter in my hand, apparently from yourself, addressed to the Secretary of the Royal Commission on Market Tolls, dated the 17th of April: "Dear Sir, the town council have to-day (practically without discussion) ordered that stalls shall be allowed in the market place. This was pursuant to a notice of motion given before Mr. Alderman Follows' evidence?"—I wrote that on Tuesday evening to the secretary.

4979. That seems to be a practical admission of Mr. Follows' claim; can you explain how that has come about?—No. I am afraid it is one of those inscrutable things that one cannot explain.

4980. How much do you estimate that the corporation will lose by this admission of the claim of Mr. Follows and his friends?—We shall see what difference it will make—40*l.*, we think, will be all the difference.

4981. This resolution of the town council concedes a part—how important a part I do not know—but part of Mr. Follows' contention, does it not?—It concedes the opening of the market place for the time being—it does not meet the freemen's question. The freemen will now probably claim to stand toll free in the open market.

4982. Do you think that it is in any way an indication on the part of the town council to depart from the position which they have assumed about these tolls?—I am bound to assume it is for the present. I have a very strong opinion that as soon as that market place is opened we shall have deputations to get it shut up again as a nuisance.

Adjourned to Thursday next at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

TWENTIETH DAY.

Thursday, 26th April 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART., M.P.
SIR THOMAS MARTINEAU.

MR. SPENCER CHARRINGTON, M.P.
MR. WILLIAM C. LITTLE.
MR. PIERCE MAHONY, M.P.
MR. T. BARCLAY COCKERTON, *Secretary*.

MR. ROBERT DAWBARN and MR. CHARLES GREENWOOD examined.

Mr. R.
Dawbarn and
Mr. C.
Greenwood.

26 April 1888.

4983. (*Chairman to Mr. Dawbarn.*) You are a solicitor practising in March?—Yes.

4984. (*To Mr. Greenwood.*) You are clerk to the local board of health?—Yes.

4985. (*To Mr. Dawbarn.*) You are also connected with the local board of health, are you not?—I am not connected with the local board of health except as representing them on this special occasion. The clerk, who is with me, technically represents the local board of health, but I know the sentiments of the board as thoroughly as if I belonged to the board.

4986. Is the population of March about 7,000?—Yes.

4987. March is in the centre of the Fens?—Yes.

4988. Is it a corn district?—Yes.

4989. The town is on the Great Eastern Railway, is it not?—Yes.

4990. And has it a ready communication with all parts of the country?—That is so.

4991. Besides the railway has it a navigation connected with Lynn and Wisbeach and Peterborough?—Yes. I should like to call your attention to the fact that there being at the March station a junction of several railways, there is a staff of 477 men employed at it, and there are 400 trains passing daily from or through the station.

4992. Is the town increasing?—The town is increasing, and increasing to a very considerable extent; there have been 139 houses recently erected.

4993. Will you give us briefly the circumstances under which the market is constituted?—In the 22nd year of the reign of Charles II. a grant was made by letters patent of a market and two fairs to Sir Algernon Peyton, Bart., who was then lord of the manor of Doddington. The grant conferred the right on Sir Algernon Peyton, his heirs and assigns to take, within the market and fairs, certain tolls mentioned in the schedule to the grant. I should like to put in an office copy of the patent, and also, if your Lordship pleases, a translation (*handing them in*). I might just mention, with regard to the grant, that it was made within a very few years after the settlement of the Great Level of the Fens called the Bedford Level, at which time agriculture was at a very low ebb, and the fisherman and the fowler had possession of the fens. I have no doubt, from what I have heard and read, that there was an effort then made by the establishment of these markets to facilitate the further and more complete settlement of the fens. In the schedule itself the only natural products which are tolled are fruit and hemp. There is no allusion whatever to corn, and I should think there was very little or no wheat or oats grown at that time. You will observe in the charter that the market was to be held upon Friday in every week yearly, and the fairs on the days

therein mentioned. I may mention parenthetically that the market day has been changed. There is no reason to doubt that a market was held, more or less continuously, between the date of the grant and the early part of the present century. There is an assessment of the tolls of the market in an old rate-book, which I have seen, in 1785, and then the tolls were assessed at 6*l*. Then I know of nothing more until 1821, when an effort was made to revive the market, and I should like just to produce the notice that was then published with the object of reviving the market. That notice was as follows: "A grant having been obtained in the time of Charles II., in or about the year 1670, for a market in the town of March, I am directed" (that is the town clerk) "to give notice that such grant is still in force, and that a market for all sorts of grain, hemp, flax, cattle, butter, cheese, and other commodities will in future be holden at March aforesaid every Friday, to commence from the 1st day of June next. I am also directed to give notice that in addition to the usual horse fair a horse fair will annually be holden, pursuant to the charter, on the Saturday before the summer fair, which always takes place on the Monday before Whitsunday." Now that includes all sorts of grain, hemp, flax, cattle, and so on. All sorts of grain were not referred to in the original charter. Again it fixes a horse fair for Saturday. Saturday was not referred to in the original charter, so that there was a deviation in those respects from what was contained in the original grant. An attempt was made to revive the market, but there are no records that are available to show us what the result of that attempt was. Then I should just like to mention, as a matter of fact, what would have been mentioned by Mr. Vawser, the Chairman of the Board, who intended until the last day or two to accompany me, but is unfortunately too ill to do so, that in 1821, or shortly afterwards, there were posts placed around the side of the market and a maypole and a pillory stood on the west side. This is a plan of the market (*handing it in*). The maypole became dilapidated and was taken down within Mr. Vawser's memory, and in lieu of the pillory stocks were placed on the lord's waste not far from the market. At that time a good deal of business was done at the fairs, but comparatively little in the market. In Mr. Vawser's early recollection only a very little wheat was grown in the neighbourhood, there were more oats grown than wheat, and I may say that at that time, and until the opening of the railway, which took place in 1847, Cambridge was the market for oats and Lynn for wheat. Prior to the opening of the railway to March in 1847, and before the erection of the market

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house, the quantity of the corn sold in March was very small, and was not sold within the area of the market place. In connexion with the opening of the railway public meetings were called and a vigorous attempt made by the inhabitants to increase the market. Numerous advertisements were inserted in the local papers, but the effort was not attended with much success, owing partly to the fact that Friday was an unfortunate day for March, as other markets in the neighbourhood were held on the same day. I have the advertisements and the resolutions that were passed here, but probably it is not necessary for me to put them in. No obligation existed on the part of the grantee to repair or improve the market place, and so far as I have inquired he has never appeared to take much practical interest in the market, but soon after due opening of the railway he erected a shed or building open on one side, a most unsatisfactory affair, and close to the market place, for the accommodation of merchants who attended and purchased corn by sample. In December 1856 a change of the market day from Friday to Wednesday was made by private arrangement, and without any formalities, and thereafter several additional merchants attended, the new erection being used as a market house. The local board of health was established in 1853, and an arrangement was made between them and the grantee of the market by which in return for the use of the site of the clock house, which was built out of the Church rates upon part of the lord's waste, and also a site for road material close to such house, without payment, the market place was from time to time cleaned by the board, gravel being found for the surface of the market place by the receiver of the tolls. The market place is 156 feet in length by 94 feet in depth, and it is used for the sale of meat, fish, garden produce, wood, pottery, and other commodities. The market house, which is 40 feet in length by 17 feet in width, is used for the sale of corn cake and artificial manure, by sample, and the back yard of the "Golden Lion," one of the public houses facing the market place on the west side, is now used for the sale of pigs. Many years ago the collector of tolls, one John Fitz John, who was a publican, removed the pig market from a spot close to the corn market, where it had been accustomed to be held, to his own yard at the White Hart Inn, some distance off. Subsequently another toll collector named Phillips, who was a brewer, removed the pig market to the "Golden Lion," one of his own houses, where it still remains. Mr. F. B. Phillips is the present collector, and he appropriates all the tolls and charges which he receives to his own use, for which he pays to the lord the sum of 10*l.* per annum. He is not appointed by deed or writing, the agent of the lord says he is subject to six months notice of dismissal. The present poor rate assessment of the market tolls is 10*l.* There are about 14 merchants who have stands or desks in the market house. Each merchant pays one guinea to the collector in return for the accommodation he receives. In estimating the size of the market with reference to the locality, it must be remembered that nine-tenths of the corn grown and sold in this very prolific district are sold by sample in the public market, and that whilst March with its many advantages has only 14 stands, Wisbech, 9 miles distant, has 54 stands, and Peterborough, 14 miles distant, has 74 stands in its covered market. Many farmers who sell their corn by sample in neighbouring markets deliver the bulk at the March Railway Station. As to the tariff, in an interview with Mr. Phillips, the present toll collector, he stated to me that he had no regular scale of charges, he took a list out of a drawer of his father's, who was prior to himself the toll collector, but he did not know where to find it now. He said that he charged 3*d.* for a fish stall, 6*d.* for a meat stall, if the butcher were a March man, but 1*s.* if he belonged to Wisbech or elsewhere, 2*d.* or 3*d.* for a fruit stall (in the schedule that is ½*d.*), 6*d.* for pottery and other commodities, but he had often great trouble to get anything at all. Upon my pressing the collector a little further he

declined to give further information, but I know as a matter of fact that he charges for a small pen of pigs 4*d.*, and for a larger pen 6*d.* He takes the tolls on each Wednesday, and also on each Saturday evening when there is a market for meat, fish, and other articles likely to be required by the poorer inhabitants of the town and neighbourhood who buy freely. No record of his receipts is kept, but it is estimated that his gross takings are about 50*l.*

4994. Has no opportunity ever been taken of testing the legality of these charges?—No.

4995. It is not known what they rest on?—It is not known what they rest on. There is no other record than that contained in the schedule of the grant.

4996. As far as you are aware they are purely arbitrary?—Just so.

4997. I understand you also complain that there is not sufficient accommodation given in return for the charge that is made?—In return for the guinea perhaps there is sufficient accommodation given, but otherwise there is not.

4998. Is there a demand for larger accommodation than actually exists in the market?—There is not now a sufficient inducement for people to come to the market, by reason of there being no accommodation. I have no doubt that if the accommodation were extended that there would be a very great increase in the number of those who would come to sell and to buy.

4999. Will you proceed with your statement?—No Court of Pie Poudre, though ordered by the grant, has, so far as is known, ever been held, and, so far as is known, no legal proceedings have at any time been taken by the grantee of the market against buyers or sellers, or *vice versa*, so as to raise any question of title. The local board have had occasion to complain of nuisances on the market place, especially on a Sunday, when stalls and caravans often remain after the fairs or after the Saturday evening market; the owners employing the time in washing their clothes and hanging them out to dry, and throwing the soap-suds upon the ground. In November 1878 the local board took proceedings against one William Thompson, a stall keeper, for obstructing the footway on the market place upon a Sunday, but a claim of ownership of the land having been set up by the lord of the manor, the magistrates considered they had no jurisdiction, and the case was withdrawn.

5000. Have there ever been questions raised as to the right to buy and sell outside the market?—None, that I am aware of.

5001. As a matter of fact, is there any buying and selling, such as would go on in the market, outside the limits of the market?—There is. Soon after this case the board endeavoured to hire the market rights of the lord, so as to be able to prevent the nuisances complained of, and I should like just to mention here that there is a court leet connected with the manor. In days by gone it no doubt had full power over nuisances and other matters of that class, but it has lost all that authority now, and it simply appoints constables and pinders who have nothing whatever to do. A deputation from the board waited upon Mr. Tusting, the lord's agent, with the object of purchasing the lord's rights, but though attention to the application was promised, no communication was received by the board, and no arrangement ever made.

5002. Did the board make any definite proposal upon the subject?—

(Mr. Greenwood.) They endeavoured to hire the markets.

5003. Was that refused, or was it left to stand over?—It was left to stand over.

(Mr. Dawbarn.) During last year (1887) a very strong desire was manifested by the inhabitants of March to signalise the Jubilee of Her Majesty by the erection of a corn exchange in connexion with a public hall. A correspondence was entered into between the local board and others and the lord and

his agent, with the object of purchasing the market tolls and rights; but, as on the previous occasion, without any satisfactory result. In one letter received from the agent in February 1887, he remarks, "I have to state that on consulting with the solicitor of the lord it appears that the property is part of the settled estate of the lord, and that under the circumstances, to carry out the wishes of the board, they must expect to pay a very full price for what they require." In a subsequent letter, written a month afterwards, in reply to one to the lord asking him to receive a deputation of the inhabitants of March on the subject of the market, Lady Peyton, replying on the lord's behalf, after stating that he was too unwell to receive a deputation, said, that in this case it was quite unnecessary, the business being in the hands of his solicitor and agent to be dealt with in due time. Since then no communication has been received, Sir Thomas Peyton, the then grantee, has since died, and Sir Algernon Peyton is the present owner of the market. From the foregoing statement two facts are obvious, first, that for 30 years and upwards the market day named in the grant has been changed, Wednesday having been substituted for Friday. It is submitted that by this change the grant is forfeited.

5004. That is a question for discussion in a court of law?—It is. I do not know whether you would like me to refer you to a case or two that I have directed my attention to, and which I think would bear out the proposition that by a misuse of a market the grant is forfeited. Perhaps I may first be permitted to refer to a dictum by Lord Stowell, which I find quoted in Maxwell on Construction of Statutes. "Grants from the Crown are construed strictly against the grantee on the ground that prerogatives, rights, and emoluments are conferred on the Crown for great purposes, and for the public use, and are therefore not to be understood as diminished by any grant beyond what it takes away by necessary and unavoidable construction." In the case of the Attorney-General *versus* Horner (Law Reports 14, Queen's Bench Division, 245), I find this, "The franchise as to the market days must be restricted to the days mentioned in the grant."

5005. We cannot try the legal question here, it will probably be enough for your purpose, if you say that you have sufficient ground for taking proceedings, to vitiate the grant if you think fit. I understand that you consider that you would have a legal ground to contend that the grant was invalid, if you choose to put that claim forward in a court of law?—I do.

5006. But, as a matter of fact, no attempt of that kind has yet been made?—That is so. The second point I want to call your attention to is this, that the tariff of tolls charged by the grant has been completely disregarded, and an unauthorised tariff or mode of charging substituted, and commodities have been included in the schedule as adopted by the collector which were never contemplated when the grant was made. A bargain appears to have been struck by the toll collector with each seller, more toll being generally taken than authorised by the original tariff. Then I should like to call attention to the state of things as regards purchase by sample. The agent informed me that he considered that the merchants should perform their business in the market place in the house which is provided for them. I would venture to submit that merchants who buy by sample are not liable to pay toll. As I have said before, the schedule refers to no direct produce of the land, except fruit and hemp. When the grant was made by the Crown, the greater portion of the level in which March is situate was in the possession of fishermen and fowlers, and little or no corn was grown. The sale of corn by sample in a market overt was certainly unknown. To constitute a sale in a market overt the goods sold must be present in the market during the whole of the transaction, from the making of the contract to the delivery (*Crane versus* London Dock Company, 33, Law Journal, Queen's Bench, 224).

5,007. I gather from what you say that the whole question as to the rights claimed by the grantee of the market is in an absolutely unsettled state?—Yes.

5008. If you were to proceed to buy up the market rights you would not at present know what it was you were buying, or what it was you were expected to pay for?—That is so, in this sense, that he has deviated entirely from the rights he claims under his letters patent.

5009. You doubt whether the grant is valid, and if it be valid you still doubt whether the tariff charged is one which the law would support?—Yes.

5010. Therefore you do not know whether there is anything of value to be bought?—That is so. I admit that the soil is the lord's waste, at least I do not dispute the ownership of the waste. Now the local board are of opinion that March is excellently situated for a good market, and that if instead of the very inadequate accommodation at present afforded for buyers and sellers, a new corn exchange was erected in the place of the present shed, and the market place wholly or partially paved, and the tolls carefully regulated, a very great increase to the advantage of the town might be anticipated. It is also their opinion that the market place itself, for the purpose of good order, should be put under their management. They are therefore in favour of obtaining compulsory powers to acquire the market tolls and rights.

5011. As matters now stand can that be done otherwise than by an Act of Parliament?—I think not.

5012. (*Sir Thomas Martineau*.) Have you any record, beyond what you have told us, in what year the tolls were first levied for wheat?—No.

5013. You have given some evidence about the arbitrary kind of way in which the tolls are levied. Did you notice in the schedule to the grant that there is a toll of 1*d.* on all persons who expose any goods for sale?—Yes, I have noticed that, a personal tax, a poll tax.

5014. Is that the kind of way in which tolls are levied from people who are not within this list?—No, I think not, I never heard of so low a toll as 1*d.* being paid by anyone. Those who regularly have stands, or tables, or stalls pay so much to the collector, and when any stranger comes a bargain has to be made with him; sometimes he is willing to pay what is asked; at other times he resents it. If the collector cannot get 1*s.* he is satisfied with 6*d.*, and if he cannot get 6*d.* he is satisfied with 3*d.*

5015. It is almost unnecessary to ask whether there is any table of tolls stuck up in the market?—There is no table of tolls exhibited at all.

5016. The market is mainly an open market?—It is, with the exception of the covered shed occupied by the merchants.

5017. That is what you call the market house?—That is the market house, it is open to the weather on one side, it is a very poor place indeed; no man who had any consideration for his health would care to go and stand there for an hour.

5018. When was that built?—Just after 1847, when the railway was opened.

5019. And by whom was it built?—It was built by the lord of the manor, the grantee.

5020. Do you know about how much he spent on it?—Not more than 60*l.* or 70*l.* I should say.

5021. Does he keep the building and the open market place in repair?—The building he keeps in repair, but the market place is kept in repair by the local board of health; the sweeping and all the cleansing are done by the local board of health, he, in return, exonerating them from any payment for depositing materials for the repair of the road at the back of the market.

5022. Is the 10*l.* that goes to the lord all that he gets out of his market rights?—Out of the market altogether.

5023. 10*l.* a year?—Yes, the collector takes the guinea fee from each merchant, and he takes all he

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gets besides, and he pays the 10*l.* a year and spends a little for gravelling the market place during the year.

5024. You mentioned Wisbech as having a much larger market for corn, do you think if the market in March were properly attended to and developed you would have a chance of having as good a market as they have at Wisbech?—Not perhaps quite as good, there is a great prestige connected with Wisbech, and it would take some time to diminish that, but there are advantages obtainable at March quite equal to those at Wisbech.

5025. And those might be obtained if the market were in the hands of persons who really knew what the wants of the locality were?—Quite so.

5026. (Mr. Little.) You say it may be contended that there has been a forfeiture of the right by changing the days, have you considered whether continuous use for 30 years since the change would give a right by prescription to the owner?—I have considered that question, and I venture to submit that it would not give any right. I have here some words by Lord Justice Lindley in the Attorney-General *versus* Horner, which I should like to read. He says—“The cases which have been referred to in support of ‘presumptions from long usage will be found to have been cases where the origin of the rights said to exist has been lost in obscurity and there has been ‘nothing but the evidence of immemorial use.’”

5027. As to moving the pig market, I apprehend, if the grant was a grant to March and was not limited by metes and bounds, that the lord, or the lessee, would be within his rights, in moving that market?—I do not know but what it is quite as convenient to the public where it is now, as if it was on the market place or where it was originally, but it was certainly moved at the time for the convenience of the collector, who was an innkeeper, and he moved it to his own yard.

5028. You say the collector is not appointed by deed or writing. What is the point which you wish to urge as to that?—The grant to him of such a right as he claims to possess must be by deed according to law.

5029. Then he becomes a mere servant, he is merely acting for the lord?—Yes, he would have to sue in the name of the lord if he wished to take any proceedings.

5030. Are there any cases in which the charge at present made is beyond the schedule of tolls?—To the butchers I would call attention specially to the charge. A March butcher is charged 6*d.* a stall, and a Wisbech butcher is charged 1*s.*, or a butcher from any foreign town. Tradesmen living in other towns are called foreigners and treated as such.

5031. That you would say is restrictive of trade or tends to restrict trade?—Yes.

5032. The court of Pye Poudre was a court of summary jurisdiction to try cases arising in the market?—So I understand.

5033. It was an incident of markets generally, was it not?—Yes.

5034. Was it a source of profit to the lord, or simply a burden upon him?—I suppose it was connected with good order in the market, any question that arose was then and there summarily dealt with. If we take the meaning of the words as dusty foot, I suppose it was an easy and rapid means of obtaining the settlement of a dispute between two parties, a buyer and a seller. Beyond a small fee just for hearing the case, I do not suppose the lord got any advantage from it.

5035. You said that the ownership of the market place was in the lord of the manor, but I suppose that would be ownership subject to its use as a market, he could not do what he pleased with it?—I have no right to dispute the ownership of the market in the lord, for I do not know anything to the contrary, but I should say this, that after the market has been dedicated to the use of the public so many years, he

could not recall it in any way, it must be subject to the rights of the public.

5036. Is there anything to prevent a merchant who buys corn by sample buying elsewhere in the town?—Nothing.

5037. For instance, could the sellers establish themselves in any public house?—I apprehend that they could do so. I think the tenour of the decisions is to that effect. But there is a doubt naturally arising and felt by the local board of health that the matter is to some extent at least unsettled, and they think they are justified in entertaining that doubt almost by the words of Lord Chief Baron Pollock, who says, “I ‘certainly agree with Mr. Grove in this, that there ‘never yet has been a case that decides that the sale ‘by sample out of the market will be an infringement ‘of the right of the owner of the market.’” (Mayor of Brecon *v.* Edwards, 31 Law Journal, Exchequer, 368.). I have no doubt whatever that a merchant would be at liberty to sell out of the market, and I may say that, prior to the establishment of the railway, merchants were in the habit of standing outside the area of the market and selling corn there, and they never paid anything whatever to the lord of the manor.

5038. Now they pay 1*l.* 1*s.* as rent or stallage?—Yes.

5039. Would you call it rent or stallage?—It is called a rent for their stands.

5040. The character of the population of March and its neighbourhood is such that a Saturday market would be a very desirable thing, a great part of the population being dependent on weekly wages?—Certainly, upwards of 2,000*l.* a month are taken by the railway employes.

5041. Besides that you have a large scattered agricultural population who come in once a week to spend their wages?—Yes.

5042. And they are people who would buy in a market?—Yes.

5043. The local authority is willing to buy whatever rights the lord may possess on reasonable terms?—I think I may say so, certainly.

5044. Supposing the parties cannot agree, how would you settle the terms, would you agree to arbitration?—Yes, if the parties could be brought together; but at present there is no chance of its being referred to arbitration under existing circumstances.

5045. But suppose that the local authority had compulsory power to purchase, then do you think that the price should be settled by arbitration?—I have never thought that out.

5046. There would have to be some way of determining the price to be paid if the parties could not agree?—I know arbitration would seem to be the proper way of determining the price.

5047. You no doubt are aware that it is proposed by a Bill now before Parliament to give to county councils a power now possessed by the Local Government Board to revise and approve scales of tolls?—I am.

5048. Is that, in your opinion, desirable?—I think it is very undesirable.

5049. On what ground?—I think there is a natural jealousy between one town and another, and I think that the county council would be composed of men who would represent certain markets, and that they would object to the intrusion of other markets into the locality. If I may take an example, take a street in a small town with a number of tradesmen in it; those tradesmen, if they had the option, would decline to admit another tradesman into the street, and I think that the council would have the opportunity, by manipulating the tolls, to do very serious injury to any market which would otherwise be a rising and successful one.

5050. You would rather go to an authority such as the Local Government Board, which might take a broader view than a local council?—I would do so.

5051. (*Sir James Corry.*) As matters stand now, there is no possibility of the lord of the manor and the local board being brought together, so as to come to terms about tolls?—I think there is no probability whatever of it.

5052. And you think if a general Act of Parliament were passed giving compulsory powers to local boards and other local authorities that the local board of March would take advantage of that?—I do.

5053. (*Mr. Mahony.*) You would object to a county council having the power of fixing the tolls?—Of regulating or fixing the tolls.

5054. Would you have the same objection to a purely local body?—I think it should be a thoroughly independent body, and not a local body, to settle a question of that kind. Originally, when the market was instituted, there was an inquiry *ad quod damnum*, an inquiry what harm the new market would do to others in the locality, and I believe I am right in saying that when March Market was established, and when this inquiry was made as a preliminary to the charter of 1671, that Wisbech opposed March, and I think that that jealousy is both common and natural.

5055. I do not think you quite understood my question. I see your objection to any body which would represent two different towns, but supposing a local body representing the town of March had the power of fixing the tolls for March Market, would you object to that?—*Primâ facie* I do not think there would be any objection to that.

5056. (*Mr. Charrington.*) Does the lord of the manor derive any benefit whatever beyond this 10*l.* a year which he receives from the collector of the market?—I think not.

5057. Is the trade of the market an increasing one?—No, I think not, as matters stand; I do not think it will increase at all, except I should say the Saturday evening market may have a few more stalls.

5058. Have any complaints been made by the inhabitants of March as to the way the market is managed?—Yes, such complaints as you might imagine would be made, but people do not believe there is any remedy. The local board complain of their want of control over the market, and they see very well there that there would be an opportunity of increasing it if it were placed in their hands; otherwise I do not think there is any special complaint.

The witness withdrew.

Mr. J. BRADNUM examined.

5071. (*Chairman.*) Will you tell us what experience you have had of markets generally?—I have been connected with markets ever since my boyhood. My father was a market gardener, and I have had 24 years experience of markets.

5072. What are you?—A fruit salesman.

5073. How long have you been acquainted with the Hull markets?—I have been living in Hull now about 10 years, during which time I have had experience of the Hull markets.

5074. To whom do the market rights belong at Hull?—To the Corporation.

5075. Under what authority are they held?—They are held under the authority of a Charter in the reign of Edward I., 1299, according to the statement I find in Shehan's book.

5076. How many markets are there?—In all there are seven markets. Parragon Station, Corporation Field, Church Side, the New Market Hall, Dixon Square, Billingsgate Fish Market, and the Corn Exchange.

5077. They are in different parts of the town?—They are scattered all over the town; they are miles apart.

5078. How are the markets governed?—They are supposed to be governed by the property committee, but

5059. (*Mr. Childers.*) March in the time of Charles II. was a small village in a great uncultivated morass, was it not?—That was so: the towns in the Bedford Level and those around March were built upon gravel; they were small islands, and during the greater part of the year water surrounded them. Sedge was grown to a very great extent, a little corn being grown here and there.

5060. The enormous parish of Doddington, in which March is now situate, was practically productive of very little, was not it in those days?—Yes.

5061. And March was no more than a small village like Doddington itself?—It was a hamlet in the parish of Doddington.

5062. Have you any idea what the population was at that time?—I should think that there were only as many hundreds as there are thousands now.

5063. If I say there were 500 people in March and 200 perhaps in Doddington that would describe the state of things, would it not?—Yes.

5064. And there was no connexion between the different villages and hamlets except one causeway?—That was so. I may say this, that the church at March was a chapel-of-ease, erected there on account of the difficulty of getting to the parent church of Doddington during a great part of the year. An Indulgence of Cardinal Wolsley recited the establishment of a chapel-of-ease at March on account of that difficulty.

5065. Doddington being the mother parish, but itself a very small place, almost inaccessible?—That was so.

5066. At that time it was not unreasonable that the lord should have power to do what he could in bringing the small products of the villages to a centre on one of these knolls in the middle of the morass?—I think so.

5067. That would be a justification for the charter that was given to Sir Algernon Peyton?—Yes.

5068. But now the whole of the circumstances are entirely altered, are they not?—They are.

5069. And however justifiable it might have been in the time of Charles II. to make such an arrangement, nobody would dream of making such an arrangement in the present day?—That is so.

5070. Therefore you claim, do you not, that provision being made to the 10*l.* going to the Peyton family, a new arrangement as to market accommodation should be made more in accordance with modern requirements?—Yes.

in reality they are governed by what is called the sub-markets committee. This sub-markets committee is formed out of the property committee, and, I believe, is composed of three aldermen and two councillors. There is a very great amount of grievance in Hull with regard to this sub-markets committee, because the sittings of the sub-committee are all practically held in secret, and there are no byelaws whatever governing any of the markets in Hull. I applied to the town clerk last year for their byelaws, and I found that there are none in existence governing the markets in Hull, and there is no schedule of tolls exhibited in any markets in Hull.

5079. Do I rightly understand that these markets are governed according to the absolute will of this sub-committee?—That is so. I may say I made a complaint before the property committee and it was referred to this sub-markets committee, and I sent a letter to the town clerk to know whether I might be allowed to bring a reporter with me or bring a friend as a witness of what took place. I was denied that right and therefore I would not lay my case before the sub-committee. I may say that last week (I have no doubt, largely in consequence of the moral effect of the appointment of this Commission) the Corporation of Hull have passed a resolution to appoint

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a, markets committee, consisting of members from all parts of the town.

5080. Are there complaints of inadequate market accommodation?—Yes, great and general complaints, in fact, Hull is a town that has increased very rapidly indeed in population. In 1801 the population was 29,000, in 1861 it was 98,000, and at the present time it approaches about 200,000. The old town of Hull was a garrison town and the docks are made on the former garrison walls, and consequently the old town of Hull itself is practically an island. The population in the old town is diminishing, but a great increase in the population has taken place outside this island as this map will show (*producing it*).

5081. We may take it that the inadequacy of the market accommodation is partly due to the rapid growth of the town?—Yes, and also from the neglect of the corporation to provide other market accommodation. There used to be stands along here (*pointing to the map*), and after the town extended, instead of providing increased market accommodation there the market gardeners, who attended from Cottingham and the East Riding District, were removed from there, and instructed to stand here, on the Beverley Road about a mile away from their former position till they became so numerous that they were then removed to a place called Corporation Field.

5082. What accommodation is there for the sale of hay, straw, roots, and other farm produce?—There is no accommodation whatever although Hull is the centre of a very large agricultural district, and though there is no other large town you may say within a radius of about 40 miles where the farmers can bring hay, straw or roots for sale, there is no accommodation in Hull for the sale of hay, straw or roots. Hull is a place in which a great number of horses are kept, and none of the small horse owners can buy a load of hay or straw direct from the farmer or producer of that hay or straw, and the consequence of there not being this accommodation is that the whole of this hay and straw business has to be done through the hands of certain middlemen, and no market price whatever can be made for those articles in Hull; they never go into the market at all, and are never exhibited, consequently the producers cannot get the competition which they ought to have upon their goods, nor can the people in Hull have an opportunity of buying direct from the producer. This system is building up little monopolies of middlemen, and taking away the advantage that the public ought to enjoy of reasonable competition and choice of what they require.

5083. Have the farmers complained?—Yes, the farmers have complained repeatedly. I may say that farmers have come to my warehouse in Humber Street repeatedly and said, "Where can I sell any roots and other produce of that kind," which I do not deal in myself.

5084. What is the state of things as regards accommodation for the sale of cattle?—The accommodation for the sale of cattle is very inadequate indeed, and there have been great complaints on that subject by the cattle dealers. A petition was presented to the corporation of Hull in 1886, by the large cattle dealers and auctioneers in the East Riding of Yorkshire, who showed that there had been a very great increase in the number of beasts, sheep, and pigs, that beasts had increased in the seven years from 1879, from 7,000 in 1879 to 10,000 in 1886; sheep from 41,000 to 62,000; and pigs from 312 to 4,992. This petition was presented to the Mayor and Corporation of Hull, it being signed by 15 large auctioneers and wholesale cattle dealers and salesmen, all of whom resided in the East Riding and the Holderness district. The complaint they made then is still existent, and has become intensified by the great increase in the number of cattle since that time. Those gentlemen again waited upon the Corporation early in the present year, and they came before the sub-committee, and they were told that their desire would be considered, and all the consideration they got was a notice put up in the market increasing the tolls from 4d. to 10d. a beast,

so that instead of getting any more accommodation what they got was a rise in the tolls of 150 per cent.

5085. Was there any question raised as to the legality of that increase?—Yes; these auctioneers and cattle dealers declined to pay. On April the 4th of this year they offered the usual tolls they had been accustomed to pay, the 4d., and those tolls were refused. On April 11th, the following market day, the gates of the market were guarded by policemen against all the cattle dealers and auctioneers who refused to pay the week's previous toll at the increased rate.

5086. What followed?—These gentlemen adjourned to another place, and ultimately they decided to take their cattle into the market and pay the amount under protest, and they have paid that amount ever since.

5087. Have they taken any steps in the law courts?—No, they have not taken any legal steps. I may say, in addition to this, that at a large meeting of these gentlemen in Hull, held with regard to these charges, Mr. George Stickney, a large farmer, of Danthorpe Hall, in the Holderness district, moved, on the 20th of April, this resolution, which was unanimously carried, "That the accommodation in the cattle market in Edward's Place is totally inadequate to the present requirements, and that such want of accommodation has become of serious consequences to the farmers and others of the district who attend the market with fat stock; and that this meeting respectfully urges upon the corporation the necessity for the provision of a suitable market with the necessary requirements in some convenient place, for the sale of fat stock." In his remarks he says, "It is the worst market in the north of England. In no other market will you find the cattle knocked so much about as you do in the Hull market." I can confirm that from my own personal experience; the market is very small, the area of it being only some 5,400 yards gross.

5088. It comes to this, that cattle dealers and auctioneers want a new market?—Yes, they want altogether a larger place, they want three or four times the space. Then Hull is also the centre of a very large sheep district, and the sheep that arrive in Hull for sale have often to remain at the station till 3 or 4 o'clock in the afternoon, because there is not room in the market for them. There are only pens in the market for 1,000 sheep, and more than that number come into Hull for sale on a market day, and till one or two lots are sold out the people cannot bring in their sheep. These auctioneers and cattle dealers find that it is a very great grievance indeed, and last year in some cases the farmers came down and ordered the cattle waggons away without being unloaded at all.

5089. Does the same grievance exist as regards the sale of market garden produce, fruit, vegetables, eggs, and butter?—Yes, the accommodation at Hull is very bad for the sale of these articles. In consequence of the corporation not having provided a proper market, several small markets have grown up in different parts of the borough, in addition to which markets are held in many of the streets. The consequence of this divided system is to weaken the competition. The growers and farmers complain that they are deprived of fair and legitimate competition upon their produce, and they oftentimes are obliged to resort to the practice of hawking these things through the streets for the purpose of getting rid of them.

5090. What do you mean by saying this division of markets prevents legitimate competition; do you mean that people in one market do not know what prices have been given in the others?—That is so. No paper in Hull can publish the market price of any kind of farm produce; there are as many prices as there are markets. One market, though in the same town, may be over supplied and the commodities may fetch a bad price, and another market may be scantily supplied and the things may be fetching a good price. That tells against the producer, and in the end, of course, it tells against the consumer, inasmuch as if

the producer takes a particular article to a place for sale, and he does not get a satisfactory return for his labour, he will be discouraged from the production of that article and will grow some other article. This system is against free trade, it is against the interest of small traders; the small dealers cannot afford to attend three or four markets to get what they require, whereas a large one can; that makes it difficult for the small dealers to compete, and that is contrary to the interests of the public.

5091. Is there no arrangement by which one particular class of articles is sold in one of these markets, and another class of articles in another?—This old market place (*pointing to the map*) is mainly supposed to be for the Lincolnshire produce, and the other is for the East Riding produce, while Humber Street is supposed to be for produce from another district, the goods sold at the three places being of the same character, only from different districts.

5092. Would it be possible to provide one central place where all these goods might be sold with equal convenience to buyer and seller?—Yes, that is the great desire of the people of Hull. They complain that the corporation has been spending money and will persist in spending money on this scattered system of markets.

5093. You mentioned Corporation Fields as being one of the markets; what accommodation is provided there?—The market gardeners were removed from the original market of Hull, in the centre of the old borough, to Beverly Road; they became so numerous that they caused an obstruction there, and then they were removed into this Corporation Field. This Corporation field is simply an open field, neither flagged nor paved; it is covered with ashes, and the consequence is that the people when they come into the market are oftentimes ankle deep in mud and dirt, and this, of course, is very injurious to the health of those who attend the market. I have here a petition which some of these market gardeners asked me to present to the Commissioners; there was a sort of feeling that the Commissioners would have visited Hull (*handing in the petition*). They call attention to the fact that their goods are damaged and that competition is weakened.

5094. You also mentioned Church Side Market. What accommodation is provided in that market?—The Church Side Market is another of these scattered markets. The site of it was part of the ancient burying ground of Holy Trinity Church (*this is a portion of the churchyard*) and was acquired by the Corporation under the Urban Sanitary Acts, after they had acquired this portion of the churchyard for so-called street improvements they moved a number of the people from the ancient market to the back of this church, with no protection for the people except a little bit of stall covering for their goods.

5095. Are any of these markets of which you have been speaking covered in?—None of them are covered in. Then I may call attention to the fact that Hull is a flat place and, as a consequence, when we have a lot of wet weather or snow these poor people who have stands in these markets suffer in their health, and also their goods are very much damaged. Very great complaints are made about that. This Church Side Market has been very materially injured by the opening of another new market this year, viz., Dixon's Square Market, they have put Lincolnshire farm produce in this Dixon's Square Market, and that has taken a great deal of the attraction away from Church Side.

5096. We understand that the Corporation have built a new market hall lately?—Yes, and this is one of the most serious matters I wish to bring before the notice of this Commission. This new market hall has really been built almost, I believe I might say, in defiance of the people of Hull. In the first instance, when the scheme for building a new market hall was propounded, the struggle was between the scattered system of markets and the central market principle. The vested interests of the old town were in favour of retaining the market in the old town, and a great

struggle took place. The chairman of the property committee when he found the opposition was likely to be carried to the furthest point that it could be carried, declared that there were surplus funds in the hands of the Corporation which they could use for building this market without having to come to the ratepayers for their sanction. I communicated with the local government authorities with regard to that, and the result was that the Corporation had to give notice in the usual way and obtain the borrowing powers that were necessary. In connexion with that objection was raised, and a towns meeting was called, and Alderman Leak, who was chairman of the property committee, and who also was ex-Mayor of Hull, in the absence of the Mayor, Dr. Rollett, took the chair at this meeting. I may say that this meeting was held in the sessions court in the old town, a very small place, in fact; the meeting was thoroughly packed by representatives of the shop-keepers in the market place who closed their shops early in the day. The following resolution was moved at this meeting: "That this meeting is of opinion that the proposal of the Corporation to borrow upon the rates the sum of 27,000*l.* as the estimated cost of reconstruction of the shambles is an unwise, unnecessary, and inimical expenditure, as, owing to the steadily diminishing population of the old town, concurrently with the vast development and rapidly increasing population outside the bridges, the shambles site is now entirely out of position and totally inadequate for market purposes, and such expenditure would therefore be an injurious sacrifice of ratepayers' money for perpetuating the present pernicious, wasteful, and disastrous system of scattered and divided markets. We, therefore, request the corporation to withdraw a scheme which is opposed to the common welfare of the town." This resolution was lost, and a poll was demanded. It happened in this case that the mayor was out of town, and the ex-mayor declared he had no power to grant a poll. I have no hesitation in saying that if that poll had been granted that scheme would have been defeated. As regards the scheme itself, I find in the return which the corporation of Hull have made, they state that they are rebuilding their market hall at a cost of over 22,000*l.*, 17,855*l.* is for the builders' contract. In one portion of the buildings there are large spirit vaults, which take up the whole of the market fronting Blackfriargate, and this large tower belongs to those spirit vaults, so that one end of the market is entirely spirit vaults, and out of the whole of these 15 front shops there is only one that has anything to do with supplying the people with food, that is a fish shop. Besides the spirit vault there is a hatter's shop, a tailor's shop, a cutlery shop, a book shop, a tailor's shop, a book shop, a barber's shop, a tailor's shop, a cutlery shop, a fish shop, a grocer's shop, a chemist shop, a tobacco shop, and a cocoa shop, in fact the market space inside is less than it was before they touched it, and my contention is that it is not making an honest return to call that a market scheme; it is a property scheme, it has no more to do with supplying people with market accommodation than Covent Garden theatre has to do with supplying people with market accommodation in Covent Garden Market. Then I may refer to this point in connexion with this new market. What is called the new market was formerly the old shambles. The charges in this new market are three times what they were in the shambles. People are paying at the rate of 70*l.* a square yard, that is to say, the capitalised value of the land at five per cent. upon the present charges. Those people who are paying that are the very poorest of the people, people who cannot afford to take a shop. In the old shambles the people paid 10*d.* for a stand on Saturday, whereas they now pay 2*s.* 6*d.*, and their space is less than three square yards, and for the same space for a week they pay 4*s.* I contend that in carrying out the scheme for the construction of this new market there was an evasion of the spirit of the Municipal Corporation Act, inasmuch as

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the ratepayers were refused their just rights of a poll, yes or no, on this expenditure.

5097. If that was illegal it could have been contested?—Yes, but what is everybody's business is nobody's business, and in opposing a corporation you are opposing people who spend other people's money, and that is a great consideration. I have here a return from the borough accountant, in which he says "Sanctioned by the Treasury for the market hall improvement, 19,000*l.*; sanctioned by the Local Government Board for the purchase of land to throw into Queen Street, 8,000*l.*, making 27,000*l.* That is what they had power to borrow for the new market. The new market really cost 29,667*l.*, that is so much over the estimate.

5098. You referred just now to Dixon's Square Market, where is that market?—Dixon's Square Market is adjacent to the new market, and it was never in the plans at all, it was never passed. The site of Dixon's Square has been purchased at a cost of 1,500*l.*, and the covering it over cost 500*l.*, making a total cost of 2,000*l.* It is a small place; it is called Sparrow Hall, still it is another market. It is an addition to the new market. It is really part of the policy of the corporation and the people connected with the old town to force this scattered system upon the people of Hull.

5099. I take it that we may assume that your complaint, and the complaint of those who think with you, turns almost entirely upon this, that you want one centralised market instead of a number of markets?—Yes, that is the main point.

5100. Have you anything more to say about Dixon's Market?—As regards Dixon's Market, which adjoins the new market, the cost of which was 2,000*l.*, it was never put before the ratepayers, and it has never received their sanction. The corporation took the money for the construction of that market out of the surplus funds. I contend that if corporations can raise more money than what is necessary for the current expenses of the year, and if they can transfer that surplus to a so-called surplus fund and can expend that surplus fund independently of the ratepayers in such schemes as this, the Municipal Corporations Act is a dead letter, and the power of self government is taken from the ratepayers, because that scheme never could have been carried out if it had been brought in a proper way before the town.

5101. You are contending that it was an illegal proceeding?—Yes, the thing was carried out without any consent either from the Local Government Board or from the ratepayers.

5102. I presume it was a matter of public notoriety in the town?—No, nobody knew of it. I said one day to one of the town councillors that I met, "So you have another smuggled market here?" and he only smiled and said "Yes."

5103. Whether the proceeding was legal or not, you say no one thought it worth while to contest it?—No; the people who stand in these markets are too poor. As regards the 70*l.* a square yard which people are paying in the new market, I would call your attention to this: Dixon Square, which is adjacent to the new market, cost 2,000*l.*; that consists of 400 square yards, so that is 5*l.* a square yard, and at present the tolls in the new market hall amount to 70*l.* a square yard for the lettable space; therefore they can provide accommodation for 5*l.* a yard at Dixon's Square at a distance that might be represented by the difference between one side of the room and the other, though they are charging at the rate of 70*l.* a yard at the new market.

5104. Do you complain that the accommodation provided in the new market is insufficient?—Yes.

5105. Insufficient in extent?—Yes, it is insufficient in extent. We are told now by members of the property committee that they have a right to get all they can as long as there is a large demand for stalls or standings in the market, in fact that they are to have a monopoly, and the right of charging whatever they please. It is through this that they are able to charge

this exorbitant price of 70*l.* a yard for a place which is not worth a tenth part of the money.

5106. In addition to insufficient area in the new market, do you say that the provision made for the convenience of those who frequent the market is insufficient?—Yes.

5107. With regard to game, poultry, fish, fruit, and perishable goods arriving daily at Hull by railway, is any market accommodation provided?—Yes, by the railway company at the Paragon Station. There has been a market held at that station ever since the opening of the railway. There is a good deal of fish and game brought in by railway from Scarborough and Whitby, and other places in England, and from Scotland, Ireland and Wales, and which is sold at the Paragon Station. The railway company find this perishable traffic so valuable, from the big rates they get upon it, that they have spent several thousands at this station and covered 3,000 yards of space.

5108. This market that you are now speaking of belongs to the railway company?—Yes.

5109. Do they let anyone have access to it?—It is open to all purchasers, but it is not open to all vendors; it is only open to those people who have goods arriving by their railway, and consequently this is an injustice to other railways, for instance, the Hull and Barnsley, which is a competing line with the North-eastern; but these people who sell their fish and their game at this station advise their consignors to send by the route of the North-eastern. If fish or game or perishable articles arrive by any other route they cannot be brought to this place for sale.

5110. The railway company would, I suppose, say that they were only interested in providing accommodation for their customers?—The railway company are able to command the traffic by virtue of providing this market accommodation at their station. I may say there is a goodish quantity of these perishable articles smuggled on to this Paragon Station occasionally by various dealers.

5111. Is this railway market in any way under the corporation?—No; the corporation wink at it; they allow what I contend is an infringement of the people's rights, because they have failed to provide adequate accommodation themselves.

5112. In short, having the right presumably to enforce a monopoly for their own markets, they do not think it worth while to exercise that right?—Yes.

5113. Do you make that a matter of complaint?—Yes; I say it is against the interests of the ratepayers; I contend that the monopoly of the markets ought to be in the hands of the ratepayers themselves, and that this market only exists in consequence of the neglect of the corporation to fulfil their duties in providing proper accommodation, which would then give fair play to all the railways and give the greatest facility to the senders of these goods by giving them free competition, and also give the town the benefit of an enlarged field of choice.

5114. In addition to the markets of which you have spoken are there markets held in the streets?—Yes; the markets are scattered all over the place. Markets are held in Myton Gate (a long narrow street), Fish Street, Dagger Lane, Humber Street, Finkle Street, and also on the dock side.

5115. Do the corporation interfere with those markets?—Yes, in some cases they levy a toll; in fact they levy a toll in most cases. They have not levied one on me in Humber Street, which is the widest of these streets, but they have endeavoured to make me pay.

5116. I understand the corporation have objected to your exposing fruit for sale in Humber Street?—I deal largely in English as well as in foreign fruit and vegetables, and in fruit and vegetables this principle applies, that you must expose in bulk; you cannot sell these things fairly by sample. When the English produce that I get arrives by railway there is practically no market to put it in, except on Tuesdays and Fridays. On those days we are permitted to exhibit

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our goods in Humber Street along with the carriers' carts, but on other days the English grower has been excluded, as far as he could be, from exposing his goods; and yet, as a matter of fact, the greatest market in Hull, by far, for the sale of perishable fruit is on Mondays and Thursdays, because on those days the ships arrive from abroad with their foreign fruit, and the buyers from various parts of Yorkshire visit Hull on Mondays and Thursdays for the purpose of purchasing that fruit. My object was to put the English fruit in competition with the foreign, by which I consider that I would facilitate my trade. In doing so I came into collision with the corporation, and I received a large number of summonses. These are the summonses I have had (*producing a number of summonses pasted on a long sheet of paper*). I have had 20 odd this summer. Last week the watch committee passed this resolution, on the motion of the chairman of the watch committee, "That, in the opinion of this committee, the obstruction in Humber Street is not of such a character as to render necessary the further prosecution of Mr. Bradnum," which of course I take as being owing to the fact of this Royal Commission sitting. I may say that I contended that every day was a market day for the sale of perishable goods in large towns, and the authority produced against me was the charter that only allowed a market two days a week.

5117. Do you mean that the corporation object to your selling your goods in Humber Street on other days than the market days?—Yes, practically, because I was allowed to put the goods on Humber Street on market days; when the street is full of carriers' carts then I can expose my goods and sell them, but on Mondays and Thursdays, which are the important days to me, they object to my doing so.

5118. Do you consider that greater accommodation is given to the importer of foreign fruit than is given to you?—Yes. A ship lands a cargo of fruit, which is put under the dock shed, and so protected from the weather if it rains. I put my goods on the street in Humber Street, and they are rained on. Then again, the importer of the foreign fruit can sell his goods every day, whereas I can only sell my goods on Tuesdays and Fridays. I am a large dealer in foreign fruit myself, as well as in English fruit (I am a free-trader), I want no existing facilities with regard to foreign fruit taken away; at the same time I want fair play for English fruit. If importers of foreign fruit are allowed to sell on any day in the week the fruit which they land at the docks, the English dealer should have the same right.

5119. Does the dock company levy any toll for this accommodation which they give under the dock sheds?—No, only the ordinary dock dues.

5120. I take it that the principal points which you wish to put before us are these: that there are too many markets; that there ought to be one centralised market; that there ought to be an increased amount of accommodation; and that there should be proper protection for perishable articles, so that they should not be exposed to the weather?—Yes, those are the principal points. Another point is that the charges should be in accordance with the accommodations rendered in the markets.

5121. (*Mr. Childers.*) You practically complain that Hull has very bad market accommodation, and that the market authority is not disposed to do its duty?—Yes, that it fails in its duty.

5122. Who elects the authority at Hull?—The burgesses.

5123. If the authority does not do its duty why are the members of the corporation not turned out?—One of the former members of this sub-markets committee, who was a foreign fruit merchant, whose interest it was to prevent the exposure of English goods, was turned out last November in consequence of this action. Another member of the sub-markets committee is a large butcher, you may call him a wholesale and retail butcher, and the interest of the large butchers in Hull is to starve the Hull cattle market, because

they can go to Driffield and other markets and get the choice of the supply out of those other markets, and then supply the smaller dealers, whereas if there was a good market in Hull, such a market as there ought to be in such a large place, the smaller butchers could get a supply equal to their requirements, therefore the interest of those large buyers is not to give facilities to other people to compete with them.

5124. What I was putting to you was this; if the corporation consist so largely of people who you say are not doing their duty as regards market accommodation, how is it that the ratepayers do not turn them out and get better men?—One was turned out at the last election, and no doubt that has had a great effect upon the others.

5125. Is it the intention of those who complain so bitterly of the action of the Corporation to return better men at the next election?—Yes, they will, no doubt, be turned out. The direction that things are going in is shown by the resolution which has been passed this last week in favour of a markets committee, that was the very thing the party I represent went for. We said, "Let us have a markets committee representing every part of the town."

5126. Therefore, though you have come here to complain of the past, in your judgment matters will right themselves, because the burgesses of Hull will elect a more efficient corporation?—I do not say they will, but probably the action which has been taken on this matter will have some effect on the elections. At the same time I think it is necessary in the case of Hull, and probably also in the case of other towns where the corporation make a lot of revenue out of markets, that there should be some imperial authority to restrain them, because it is to the interest of the country to develop food supplies.

5127. Then you would not trust to the action of the burgesses who elect the corporation, but you want an imperial authority to step in and improve the corporation?—Yes, I want an authority like the Education Department to say, "Fulfil your duties or forfeit your rights; unless you keep up to a proper standard of market accommodation in accordance with the requirements of the people and the necessities of the times your right of toll will be taken away."

5128. Who is to be the judge of that?—A department in connexion with the Board of Trade perhaps, something like the Education Department; if in the opinion of that department, after complaints and evidence, they did not come up to a certain standard, which standard could be fixed according to the population, their rights should be taken away. There would have to be a certain amount of covered space in proportion to the population.

5129. That would be constituting some Government department the practical masters of the corporation in respect of markets; do you think that would be agreeable to the ratepayers of Hull?—Yes. If the corporation of Hull failed in their duty in providing proper market accommodation, then this department should step in.

5130. I asked you who was to be the judge whether they did fail in their duty, and I understood you to say that in your opinion it ought to be left to some Government department to decide whether in carrying out their duties the corporation elected by the burgesses had or had not done their duty?—I think some authority should have a controlling power over these corporations with respect to their administration of markets, either some department of the Government or Parliament.

5131. Passing from that I will go to the situation of these markets. If I understand you rightly, you said that the principal markets, the new market and some other of the markets, are quite in a corner of the town instead of being central?—Yes.

5132. Your wish is that the markets should be brought together more than they are now and placed in a more convenient and central part of the town?—Yes.

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5133. How far would that central position be from the New Market Hall and from the High Street?—It need not be absolutely central, so that it was outside these docks, we want to be near the water communication, at the same time we must recognise that the bulk of the home produce is grown in the East Riding district.

5134. How far from the present principal markets ought this central market to be?—Three-quarters of a mile.

5135. That would bring the market to a more convenient part of the town for the population?—Yes.

5136. Have you ever computed what it would cost to establish a great central market at a distance of say three-quarters of a mile from the new market?—Yes.

5137. How much would it cost?—I made a computation of what I call the Paragon site would cost. That is certain property in Paragon Street.

5138. What, in your opinion, would it cost to move the markets from their present inconvenient situation to a central position which would be convenient?—11,000 square yards, which would be little enough for a large town like Hull, could have been obtained in that Paragon site.

5139. I asked you what the cost would be?—Roughly speaking, it would be, perhaps, about 70,000*l*.

5140. Would that include buildings?—It would include covering, that is all we want.

5141. You want nothing but covered space?—That is all.

5142. In your opinion the corporation would do well to give up their inconvenient markets and build a fresh market on the Paragon site at a cost of some 70,000*l*?—Yes; I would not fix absolutely on the Paragon site.

5143. Some site like the Paragon site?—Yes, some site not less than 10,000 square yards of space in a central position.

5144. Do you think that the additional expenditure of so large a sum as 70,000*l*. for markets would be agreeable to the Hull ratepayers?—I could not say that it would be absolutely agreeable to them, but I do think this that it would be highly beneficial to them, and no doubt if such a scheme was brought forward the corporation would soon be induced to see that it was to their interest to carry it out.

5145. Do the corporation publish any financial statement with respect to their markets?—They publish the gross amount of income, but the income from this shop property in connexion with the new market is not brought into the market account.

5146. Do the corporation publish accounts showing the receipts and expenditure in respect of their markets?—In the ordinary accounts of the borough they publish what their revenues are.

5147. How much are the market revenues of the corporation?—The income from stallage and standage is 1,393*l*., and from the cattle market 800*l*., making 2,193*l*.

5148. And their expenditure?—They do not give their expenditure.

5149. According to the information which the corporation have given us the revenue on the average of the last three years has been 3,600*l*. a year against an expenditure of 800*l*. a year, exclusive of interest on their loans and sinking fund; so they make about 2,800*l*. a year. Have the revenues of the new market place reached their maximum yet, or may that average be taken as a fair average?—That new market is going down every day, it is mainly a retail market. Retail markets in large towns like Hull have had their day to a certain extent, because the public want fresh goods each day. The principal market held there is the Saturday night market, and people complain that it is going down.

5150. My question was whether what has been stated to us as the average for the last three years ending March last year could be deemed to be approximately the revenue now. From the knowledge which you have of the business which is carried

on at Hull, would you say that the average revenue for the three years ending March 1887 would be a fair estimate of the revenue now?—Yes, I should say that it must increase.

5151. Were these New Market Buildings in existence during those three years?—This new market was only opened this year.

5152. Therefore, whatever profit the corporation may get from the new market would not have been included in the average receipts for the three years ending March 1887?—Yes, they would, because the people who now stand in the new market and pay these heavy charges stood in the old market during the time the new market was being built, they stood in the streets, but they paid tolls which are included in that return.

5153. You have spoken of the shops which form the frontage of the New Market Buildings, which you say have nothing to do with the markets. They return a rent?—Yes, there are 15 large shops; one of them is a spirit vault, the rent of which must be 100*l*. or 200*l*.

5154. There would be 2,000*l*., or more, derived from those spirit vaults and shops?—All I can say is that the market trade and consumption of produce in Hull is increasing daily as the population increases. Therefore there is a greater necessity for market accommodation every day, and increased receipts must result from supplying proper accommodation.

5155. Does not what you say point to this, that the revenue of the market authority is likely, with this steady increase and with the rent of these shops, to be more than it was in past days?—Under the present state of things it cannot increase much, because no one with any standing whatever will go into these new markets; they are of a tinpot character, and the trade is done at other places, at the station and in Humber Street, and so on.

5156. Do you think that out of the surplus funds of the corporation a sufficient amount could be provided to pay for the interest and sinking fund on 70,000*l*., which is wanted for a central market?—If 70,000*l*. was expended on a central market it would be self-supporting the day it was made. Suppose a market has 12,000 square yards, and it costs 8*l*. a square yard when everything is completed, that would be in round figures 100,000*l*.; then suppose you take off one-third of that 12,000 yards of that market for roads up and down, there remains 8,000 yards of space for letting; if you let that 8,000 square yards at 3*d*. a square yard, that is an income of 100*l*. a week or 5,200*l*. a year.

5157. Would the establishment of such a market tend to diminish the income from the existing markets?—It would swallow them up; everybody would go to the best market.

5158. If their existing revenue were lost and if they had only to trust to 5,200*l*. a year, considering that their present revenue is 3,600*l*. a year, how would they make enough to meet the expenditure?—That revenue is not for any accommodation at all. At the Corporation Field there is no accommodation. There has never been a penny spent there for market purposes; that was in fact a street improvement. The same applies to the Churchside Market.

5159. You do not answer my question. The corporation is now in receipt of about 3,600*l*. a year gross, then the expenditure is 800*l*. a year, making 2,800*l*. a year net, before the charges for interest and sinking fund. If you moved the whole of the market buildings to this more central place at an expense of 70,000*l*., you say there would be a market income of 5,200*l*. a year?—Yes. But this amount does not include the income from the Cattle Market, nor any income derived from property.

5160. But the other market income would be lost?—Yes, but in addition there would be the tolls derived from what is now sold at the Paragon Market, which they do not now get anything from.

5160*a*. Your supposition that the new central market would pay is based partly upon the fact that no one would go to the Paragon Station after that

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new central market was established?—Yes, it would be closed. I take it the railway company would have to close it; as soon as a first class market was established in Hull it would swallow up all the other markets, because people would go where there was the best supply.

5162. Taking into consideration that the existing small markets, out of which the corporation get a tolerably large revenue, would be destroyed, you still think they could afford to lay out this 70,000*l.*?—Yes, I think it would be a wise expenditure on their part.

5163. (*Mr. Mahoney.*) You said that at present the markets are managed by the sub-markets committee?—Yes.

5164. How is that sub-markets committee appointed?—It is appointed by the property committee. The property committee is a very large committee.

5165. Are all the members of the sub-markets committee members of the corporation?—Yes, every one of them.

5166. And so, I suppose, are the members of the property committee?—Yes.

5167. How are the members of the property committee selected?—The Chairman almost permanent.

5168. How are they selected?—They are selected by the town council at the annual meeting in November.

5169. They might be changed annually by the corporation?—They might be.

5170. The corporation is elected by the ratepayers?—Yes.

5171. When was this new market scheme brought before the ratepayers?—The agitation against it commenced in 1882.

5172. There have been a good many elections of the corporations since then?—Yes.

5173. Did the feeling which you say prevails about this new market show itself at all those elections?—Yes. Now the feeling is that the thing is a dead failure.

5174. This agitation, you say, has been going on for six years?—I will say since 1884.

5175. That is four years. During those four years there have been a good many elections?—Yes.

5176. Has the question about this new market been made a test question?—Yes. One man who supported it lost his election last November.

5177. That is one case, is there any other case in which the ratepayers have refused to elect a councillor who had taken an active part in carrying out this market scheme?—Another councillor, Councillor Larrard, brought forward the resolution to which I referred in the early part of my evidence in favour of appointing a market's committee, consisting of a representative of each ward, to inquire into the market rights and to report whether further market accommodation is desirable. There has been more of a tendency among the members of the corporation to deal with this question of the markets in a proper manner.

5178. The feeling is turning in that direction, you say?—Yes, Councillor Larrard was returned, I believe, by the highest number of votes ever recorded for a councillor in Hull, and he has brought forward that resolution in the council, and it was carried unanimously last week.

5179. Then the matter is likely to right itself?—It is going in that direction, but it will do with pushing on.

5180. If you think the matter is likely to right itself why do you suggest that the corporation should be put under the control of some Government department?—I am afraid of this in Hull, the corporation represent the people, but at the same time we may say they represent property owners, and if the corporation believe, as they do in many towns, that they can get 3,000*l.* or 5,000*l.* a year in the shape of revenue by extra charges in the markets, they will raise money in that way; if it is raised in that way it becomes a tax upon the food of the people, they ought not to be allowed to make excessive charges, the money raised from a market ought to be kept distinct, and go to a

sinking fund, and then, when the outlay on the market had been paid, the market should be free.

5181. You say the corporation represent the property classes?—Yes, more particularly.

5182. How do they do that?—It is principally property men that get into these corporations, because the others cannot afford the time, they cannot go to the council in the middle of the day.

5183. If those others could afford the time, do you think the ratepayers would elect them?—Yes; and if they were elected, the ratepayers would be benefited a good deal.

5184. Has any effort been made amongst the ratepayers to provide for the expenses of men of that class?—No. A man who got in last year is a working printer, he is fortunately situated, because his occupation is night work, and he can attend in the daytime, that is an exceptional case. We have had similar cases, but as a rule the councillors are men of property.

5185. If the corporation sat in the evening, would it make a difference?—Yes, that would be a good deal better.

5186. If they sat in the evening you think a different class of people would get into the corporation?—Yes.

5187. Is there any foreign cattle market in Hull?—Yes, there is what they call the depôt of the Hull Dock Company; they have a place where they land foreign cattle.

5188. Are the animals slaughtered at the landing place?—Yes, I believe they are. I am not well posted up on that point, but I know there are great complaints by cattle dealers and butchers in Hull of the tremendous charges the Dock Company make on these cattle, and they blame the corporation for allowing the Dock Company to have this market. The corporation declined to furnish the accommodation themselves. Under some Privy Council Order some years ago they were bound to provide accommodation, and they would not do it, and the dock company did it, and the charges, they tell me, are very excessive.

5189. The charges tell against the foreign trade in that instance?—Yes, they tell in favour of Grimsby against Hull.

5190. Is there a cattle market every day at the docks?—No, I think not; the boats arrive on Mondays and Thursdays.

5191. Do I rightly understand that the tolls are all fixed by the corporation?—I have had some conversation and correspondence with the town clerk, and he tells me that they have the right to charge what they like. When this contest originated with regard to the Hull cattle market I advised these cattle dealers at once to get a copy of the byelaws, to see what the corporation authorised to be charged. There were none to be got at the town hall. The cattle market keeper had a copy which one of these men made a copy of, and this is a print of that copy (*handing it in*). But they claim they can charge what they like, in fact one of them said, "Our market is like a big 'shop, we can charge what we like."

5192. Do they vary these charges from time to time?—Yes, they have increased the charge for fat stock from 4*d.* to 10*d.*, and for every pen of five sheep from 6*d.* to 9*d.*, but they make a distinction between what they call auctioneers and ordinary private dealers.

5193. Is there no charge of this kind on foreign cattle?—Not by the corporation, but the dock company make charges upon foreign cattle.

5193*a.* Do you know what those charges are?—No. I tried to recommend one of these auctioneers to come up and give his evidence before this Commission, but he said, "No, I dare not, it would be more than my place was worth to come up." They are frightened of the corporation. The accommodation is so limited that these large cattle dealers are afraid to do anything against the corporation. They are afraid that if they said anything against the corporation they would be deprived of their opportunity of selling in the market altogether.

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5194. You do not know what tolls are charged by the dock company?—No.

5195. You do not know whether they are higher or lower than those charged by the corporation?—No. At the time of the agitation with regard to the cattle one of the large dealers told me that he was obliged to keep his cattle away from the market because of the extra charges, but he was compelled to give in like the others, and by the post the same night he sent me a letter to say, "Do not please use the information I have given you; I do not want it to appear in the papers."

5196. (*Sir James Corry.*) Do I rightly understand your evidence to be this, that the corporation of Hull, although elected by the burgesses of Hull, do not afford the market accommodation to the public which you consider the public are entitled to?—That is so.

5197. And that the accommodation provided in parts of the town is not suitable for the different kinds of produce that are sold there?—Yes, not suited to the convenience of the public and the trade.

5198. Then your evidence amounts to this, that a central market for a large place like Hull is more desirable than a lot of scattered markets?—Yes, that is the essence of the thing.

5199. When a dealer, like yourself, gets goods from the ships, has he to pay any toll or due?—We pay wharfage for landing the goods.

5200. Do the ships pay anything for the accommodation they get at the docks?—Yes, they pay the dock dues also.

5201. And the goods which are put into the sheds, of course, must be removed within a certain time?—Yes.

5202. If they are not removed within a certain time, would you have to pay any additional dues?—Yes, the dock company would warehouse the goods if we did not remove them in a certain time.

5203. And you would have to pay warehousing dues if you did not remove the goods in a certain time?—Yes.

5204. (*Mr. Little.*) As regards the cattle trade, you said that the corporation made a distinction between an auctioneer and a private seller, do they give the preference to the auctioneer?—No, they charge him 150 per cent. more for his cattle.

5205. They charge him more than they charge the private seller?—Yes.

5206. Why is that. Do they give him better accommodation?—No, the auctioneers say they have worse accommodation, and no doubt they have, because the private seller can take his sheep into the market and put them into a pen in the morning, and they stand all that day in that pen until they are sold, whereas the auctioneer has half an hour to sell in, his sheep come in, and they are sold, and away they must go. The auctioneers are paying not only increased charges, but they are occupying the area a less time.

5207. With regard to the difficulty you have had in selling on particular days, you said the corporation prevented you selling on Monday and Thursday, is not it that they prevent you exposing your goods in the street?—Yes.

5208. If your shop were big enough to set out your goods you would not be prevented from selling on those days?—No, but it is the exposure that we require. Humber Street is a widish street, and the corporation themselves place carriers' carts in that street on market days. What it amounts to is this, and that was the reason why I had all these summonses, the corporation determined to make Humber Street into a market, and they wanted to get me to assent to pay toll; if I had assented no doubt I should not have been prosecuted.

5209. Might it not be that they could not prevent you exposing your goods in the street on certain days, that is to say, market days?—They could not prevent me doing that because they summoned me, and they could not get a conviction against me for exposing my goods on those days.

5210. And they could prevent you exposing your goods in the street on other days?—Yes.

5211. (*Sir Thomas Martineau.*) I understand you to say that there are no byelaws regulating the markets?—There are no byelaws regulating the markets at all.

5212. You have handed in a paper headed in this way, "Extract from the rules and byelaws for the government and regulation of the market"?—The history of that is this, the corporation repudiated that. As soon as this controversy with the corporation arose, I was in communication with the auctioneers, and I said, before you do anything, get the byelaws. They go to the Town Hall for the byelaws, they can get no byelaws there, then they go to the market and get a copy from the collector, and they get that printed. Then the Corporation say, "We repudiate the whole thing, we refuse to acknowledge them as byelaws."

5213. Then who issues this paper which you have handed in?—That paper has been printed by the Cattle Dealers' Association, it having been printed from the copy which is in the care of the market-keeper. The Cattle Dealers' Association thought these byelaws were the governing byelaws, and they intended to fight the corporation upon these byelaws, the corporation turned round and said, we do not recognise them as byelaws.

5214. The corporation first make the byelaws and then repudiate them, you say?—Yes, I went to the town clerk three or four times about them, and he said, we are going to get them confirmed, but they have not got them confirmed. There are no byelaws regulating the markets in Hull.

5215. You complain that sittings of the markets sub-committee were held in secret?—Yes.

5216. Is there any sub-committee in Hull that holds its sittings in public?—I think not; but at the same time it is not desirable that a sub-committee should have the control of a great public question like the markets and hold its meetings in secret.

5217. But it is on the same footing as other sub-committees?—Yes.

5218. What is the practice about committees of the Hull corporation, do they sit in public?—Yes, general committees.

5219. All of them?—I believe so. I know the Watch committee does, and the property committee does.

5220. I suppose their practise is to make reports to the town council from time to time?—Yes.

5221. Then those reports are subject to discussion in the town council?—Yes.

5222. And reporters are present at those meetings?—Yes.

5223. Therefore the business of the markets sub-committee reported to the property committee comes ultimately before the town council?—Only so much of it would come before them as the sub-committee chose.

5224. At all events any recommendation as to expenditure of money would be brought before the town council?—Yes, for instance, a recommendation to increase the charges for the cattle market.

5225. You told us of a meeting where a resolution was passed disapproving of the new market hall; have there been any other public meetings on the question of markets in Hull?—Only ratepayers' meetings.

5226. That would be when the elections were about to come off?—Yes.

5227. Have there been any other meetings at which the matter has been discussed?—At the time that this agitation was on, I should think there were 8 or 10 resolutions from various wards of the town protesting against this expenditure on the shambles, and meetings were also held at Cottingham and other places, to protest against this scattered system of markets in Hull.

5228. You think it is this agitation that has led to the appointment by the council of a general committee

to deal with the markets?—Yes, and in addition I have no doubt it has been hurried on by the appointment of this Royal Commission.

5229. You have told us that you are very much in favour of the system of concentration of markets; are there many hawkers and costermongers in Hull?—Yes, a good many little hawkers and costermongers.

5230. Are they licensed?—I could not say, I believe not, because the shopkeepers complain a good deal about the competition of these people; there are a great many hawkers in the streets of Hull.

5231. Is not it found that hawking supplies a popular want, particularly in the poorer districts?—Yes, I think the hawkers fulfil a useful mission myself.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

TWENTY-FIRST DAY.

Friday, 27th April 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

SIR JAMES PORTER CORRY, BART., M.P.
SIR THOMAS MARTINEAU.
MR. SPENCER CHARRINGTON, M.P.

MR. WILLIAM C. LITTLE.
MR. PIERCE MAHONY, M.P.
MR. T. BARCLAY COCKERTON, *Secretary*.

Mr. MICHAEL JOSEPH ELLISON examined.

5232. (*Chairman*.) We understand that you are agent to the Duke of Norfolk at Sheffield?—I am.

5233. And you have seen the evidence given by the Mayor of Sheffield on the subject of the negotiations which took place between the Duke and the Corporation?—I have.

5234. We understand that you have a statement to make to us on the subject?—With reference to the negotiations which took place in 1875 and 1876 for the purchase of the Sheffield Markets, the Duke of Norfolk offered, on the acceptance of the price of 267,450*l.*, to consider any proposal for the payment of the same which the Corporation might submit. Thereupon the price was accepted, and the purchase money offered in instalments, extending over 50 years, and bearing interest at the rate of 3 per cent. per annum. This the Duke of Norfolk declined. He offered other terms as set forth in the letter of Messrs. Few and Company, of the 4th February 1876, of which a copy was submitted in the evidence of the Mayor of Sheffield. These terms were declined by the Corporation, and the negotiation ended. In October 1876, however, the Corporation requested to be permitted to reopen the negotiation, to which the Duke of Norfolk acceded, but on the failure of the first negotiation, I had advised his Grace that the price named was, in my opinion, an inadequate one, and on the 11th of December 1876, I wrote in that sense to Mr. Gainsford. Further interviews took place, and ultimately I was entrusted to obtain an independent opinion on the value of the markets. This I did from Mr. Lamb of Newcastle, whose views endorsed my own. I thereupon wrote to Mr. Gainsford a letter, of which the following is a copy:—Sheffield, 17th February 1877. Sir—Sheffield Markets—Referring to your letter to me dated 15th December last, and to what passed at the interview held at Norfolk House on the 12th ultimo, I beg leave to inform you that it has been found impossible to get a conference in town with the Duke of Norfolk's Trustees prior to the opening of Parliament, but such meeting has now been held. In my letter to you of the 11th December last, I stated that the Duke of Norfolk and his Trustees had been informed that after an outlay for

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improving the Fruit Market and Corn Exchange, the rentals would, within the course of a very few years, realise a very largely increased annual income. Consequent on the discussion of the 12th ultimo, I was instructed to obtain some competent and independent opinion with reference to the present rental of the Sheffield Markets, and the extent to which the same might fairly be raised, as it was felt that if the Duke of Norfolk and his Trustees acted on my sole judgment, it might perhaps be contended that my views were prejudiced, and therefore unreliable. Such opinion has been obtained, and it corroborates my views on the question of value to sell. With the information now before them, the Duke of Norfolk and his Trustees are confirmed as to the soundness of the advice given to them as reported in my letter to you of the 11th December last, and his Grace therefore intends to act upon it, and to proceed with the improvements proposed by him unless the Corporation of Sheffield are prepared to consider a higher figure for sale than has been named.

5235. That comes to this, that the Duke was willing to sell and the Corporation anxious to buy, but you were unable to come to an agreement as to terms?—Yes. The gist of the letter is in the last few lines "Unless the Corporation of Sheffield are prepared to consider a higher figure for sale than has been named."

5236. (*Mr. Charrington*.) When was that negotiation between the Duke and the Corporation?—In October 1876, there has been no negotiation since.

5236*a*. It has never been renewed?—It was abandoned, and then it was renewed in the course of the same year, but there has been no negotiation since.

5237. (*Chairman*.) That was 11 years ago?—Yes.

5238. Since that date we understand the Duke has spent a large sum in improving the markets?—He has.

5239. To what amount?—121,000*l.* in round figures.

5240. We have been told that there have been complaints as to the condition of the slaughter-houses, have you anything to say on that point?—With

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regard to the slaughter-houses I consider the complaints to be greatly exaggerated. The situation is not improper, nor are they in a disgraceful condition. As to situation they are close to the market, and are placed where there are few dwelling-houses, and as to their condition they are well drained and kept thoroughly cleansed. When I was sending the answers to the questions which the Commission submitted to me, I am sorry I did not send them a plan of the markets. This plan (*producing it*) shows the relative position of the whole of the Sheffield Markets. These are the slaughter-houses (*pointing them out on the plan*).

5241. (*Mr. Charrington.*) Do the slaughter-houses drain into the river?—No, they used to do formerly, but we have put in an additional drain and have connected it with the main drain which the Corporation have made.

5242. (*Chairman.*) No doubt the reason why they were originally placed in the situation in which they are was that they might drain into the river?—Yes, no doubt they did drain into the river, and in former times it was thought that blood was merely waste, now every drop of blood is carefully collected and carried away.

5243. I understand the Duke of Norfolk is making improvements in these slaughter-houses?—The Duke of Norfolk has not been indifferent to this subject. By his Grace's direction his architect and market superintendent have visited the abattoirs which have been provided in other large towns, namely, Manchester, Newcastle-on-Tyne, Leeds, Deptford, Holloway, Salford, Huddersfield, Bradford, and Birkenhead, and they have made elaborate reports as to the extent and nature of the accommodation provided, and plans have been prepared, and the buildings would now have been in progress but for the reason stated in my letter to the town clerk of the 21st March, of which a copy was submitted by Mr. Clegg. So in point of fact at present the matter is suspended.

5244. Would any objection be raised on the part of the Duke of Norfolk if the Corporation chose to erect slaughter-houses on their own account?—I should be very glad if the Corporation would relieve the Duke of it, it is a perpetual source of irritation. The Corporation are continually changing their officers, and every officer of health who comes seizes upon the slaughter-houses as being the most patent subject for condemnation; but the Corporation have not made the slightest movement in that direction. I should have told them at once that I should advise the Duke of Norfolk to hand over his power with regard to slaughter-houses to them immediately.

5245. Under the Sheffield Markets Act of 1872 are the maximum tolls which may be taken specified?—Yes, and they are all detailed in the appendix to my answers to the queries sent to me by the Commission.

5246. I understand you do not admit that within the limits of the tolls sanctioned by the Act there is any right on the part of any authority to interfere?—No; they have no right to interfere.

5247. The maximum is fixed, and within that limit the toll is at the discretion of the Duke of Norfolk as owner of the markets?—That is so.

5248. What is the general proportion between the tolls authorised and the tolls charged?—With respect to covered space the charge authorised by the Act is 4d., and the charge which the Duke of Norfolk makes is 1d.—from $\frac{1}{2}$ d. to 1d.

5249. I think it was admitted on behalf of the Corporation that the charges were not above a third of what the Act allowed?—They are not so much. In one or two cases they are what the Act authorises, but those are in very unimportant cases.

5250. Has there been any expression of public feeling about the markets being transferred to the Corporation?—There was a good deal of talk about it at the time the negotiation was going on,—I do not mix much in public matters, and therefore I do not hear directly very much of what is going on,—but I might say that on behalf of the tenants of the

markets, had the negotiation not gone off, a memorial would have been presented to the Duke of Norfolk requesting him not to transfer the markets to the Corporation.

5251. On the ground that the tolls would be likely to be raised?—The tenants feel that they are very much safer in the hands of the Duke of Norfolk than they would be in the hands of the Corporation,—indeed I think the Corporation would have been compelled by the ratepayers to raise the tolls.

5252. We need hardly ask you whether you are in favour of compulsory purchase?—Certainly not. I think it would work with very great injustice against the Duke of Norfolk, because his tolls are so very reasonable that any number of years' purchase on the existing rental would not be at all an adequate price.

5253. I presume your objection to compulsory purchase would depend very much upon the manner in which the price was estimated?—No doubt; I do not know that I object to compulsory purchase in the abstract.

5254. But you think that the owner of the market ought to be secured a fair repayment of any expenditure incurred by him?—I think so; and not only that, I think there is a prospective value in the Duke of Norfolk's markets, more especially the Norfolk Market, which ought to be considered. There is one matter on which I should like to make an observation. It has been stated many times both in Parliament and out of Parliament that the Duke of Norfolk has refused to make any return of his income from these markets. That is not the case at all. No application has ever been made to him for a return of his income with which he has not complied. Only two such applications have been made to him,—one by the Corporation when the negotiation for the purchase was initiated, and the other when the questions were submitted to him by this Commission. I could not understand how it was that that impression could have been created, and I only found out the other day. The return which was ordered by the House of Commons to be printed in 1886 contains particulars with regard to nearly all the markets in the kingdom; but those particulars were sent by the local authorities, and in regard to Sheffield they were considered to be very meagre because the income was not stated. All the particulars except as to income were within the knowledge of the town clerk, and he gave them, but the income of course he could not know without reference to me. He never made any such reference, and therefore the amount of income derived from the markets does not appear in that return, and I presume it was upon the authority of that return that those statements were made.

5255. I see in the course of the Mayor of Sheffield's evidence, he says this:—"The Duke would prevent us erecting a large number of slaughter-houses in the centre of the town or in a suitable situation, because he claims the right to do it under his Market Act." Whatever the right may be, you say that the Duke would not desire to prevent their doing so?—They never put the question to me, if they had done so, I should have said that I would advise the Duke to transfer his right to erect slaughter-houses to them.

5256. (*Sir Thomas Martineau.*) You advised the Duke of Norfolk that the price offered by the Corporation was too small?—I did.

5257. Is it true that it was 38 or 40 years' purchase upon the then rental?—I have not calculated it. I daresay it was.

5258. Did not you think that a good price?—I did not think so. I did not think that the balance of profit which was assumed then was a fair one, because I should say one-third of the expenditure on the Sheffield Markets is comprised of the payment of rates. Now, in any negotiation with the Corporation, that payment ought to be eliminated because the Corporation really would not pay any rates. The property would be rateable, but they would draw money from the ratepayers to pay the rates, whereas now,

the Duke of Norfolk as an individual ratepayer is paying those rates, therefore, I think whatever amount is paid in rates ought to be taken away in any negotiation with the Corporation.

5269. Was that your reason for thinking the price offered by the Corporation was too small?—I cannot say that that was my reason at that time—my reason was based more upon what I estimated the progressive increase of the income of the markets would be.

5260. You considered that there would be a progressive increase?—Yes.

5261. How did you think that that progressive income would be arrived at?—I knew there would be a large increase the moment the wholesale market was covered over, because the price then charged was $\frac{1}{4}$ d. per square foot, and I was sure when the market was covered, all the tenants would be perfectly ready to pay 1d., that would at once double the revenue to be derived from that large space.

5262. Were you looking to natural increase from increase of population?—I was looking at that also, and I was looking also at a further advance in the rents, and such an advance in the rents would have been made had it not been for the bad state of trade in Sheffield. The rents of shops in the market have rarely been altered since the market was first opened, after it was built under the Act of 1847—in by far the majority of cases the rents remain the same as they were then, it is only when a change of tenancy takes place that any rise of rent is made.

5263. Has there been any rise of rent since 1877?—It was in 1877–78 that the markets were covered, and the rise took place then.

5264. As to tolls, has there been any increase in the tolls?—There has been no increase in the tolls except the $\frac{1}{4}$ d. to 1d. for covered space.

5265. You have spent 120,000*l.* since that time?—Yes, we have—on the Corn Exchange and shops 72,000*l.* in round figures. On the Castle Folds Market (that is covering the market) 15,000*l.*, on the Sheaf Market, including the wholesale fish market, 28,000*l.*, and in sundries 400*l.* or 500*l.*

5266. There has not been an increase in income corresponding with this outlay, has there?—In the case of the Castle Folds Market the increase has been very much more than corresponding to the expenditure, and I always expected it would be.

5267. That is a small item comparatively?—15,000*l.* was the expenditure, but the receipt from that market is large, arising from the charge of a 1d. a square foot a week for the whole space, and the whole of the space is generally occupied. If you would like to know the progressive income from the market since 1876, I can give it you. The markets were covered during 1877–78 and 1878–79. In 1876–77 the income was 10,861*l.*, in 1877 it was 12,057*l.*, in 1878–79, it was 13,851*l.*, and it has gone on pretty regularly from that time till in 1886–87 it was 15,700*l.*

5268. As to the slaughter-houses, you said that the Corporation had made no movement towards erecting slaughter-houses; are you aware that they consider that you claim a monopoly?—They take it for granted that we claim it. Under the Act of 1847 the Duke of Norfolk has the power to erect slaughter-houses.

5269. Has he a monopoly of the slaughter-houses?—We have not a monopoly, because the Corporation are empowered to license slaughter-houses all over the town; all the slaughter-houses that were in existence at the time of the passing of the Public Health Act, they were compelled to register.

5270. And they have since licensed others?—Yes, they license whenever an application is made if the premises are suitable.

5271. Do you claim any monopoly as to slaughter-houses?—No, we never object to any slaughter-houses being licensed anywhere. I never raised such an objection, and I never should dream of raising such an objection.

5272. It is not simply a waiver of right or supposed right; it is that you do not think you have the right?

—I have no right to object to the Corporation licensing slaughter-houses.

5273. In fact there is no monopoly?—There is no monopoly whatever.

5274. As to compulsory purchase, you say that in the abstract you would not object to compulsory purchase, does that mean that suppose the compulsory purchase were on the ordinary terms of a reference to an open arbitration in the case of no agreement, you would not object to terms of that kind?—I would much rather have a private negotiation than any arbitration in the matter.

5275. Private negotiation sometimes fail?—No doubt; it would depend very much upon the character of the arbitration.

5276. You are acquainted with the general provisions of the Lands Clauses Consolidation Act?—I am.

5277. Would such an arbitration as would be given under that Act satisfy you?—I do not know that I should object to it.

5278. (*Mr. Little.*) Though the Duke of Norfolk has no monopoly of the slaughter-houses he is in possession of the most convenient situation for them?—I think it is the most convenient situation for them.

5279. How do the slaughter-houses of the Duke of Norfolk compare with those which the Corporation have registered and licensed?—I have never visited any of them, but there is no doubt about this, that the slaughter-houses belonging to the Duke of Norfolk are very ancient buildings, and they have not been repaired to the extent they would have been if it had not been the intention of the Duke of Norfolk to erect new slaughter-houses; but with regard to cleansing and everything of that kind, everything is done which possibly can be done; and if any requisition is made by the officer of health or any other officer of the Corporation, it is at once attended to.

5280. Would the Duke have power to do away with these slaughter-houses and convert them to any other use?—I think that is a question unless he were to provide others. I question whether he is not bound to provide slaughter-houses to a certain extent.

5281. As to the scale of tolls. You say in many cases you take very much less than the authorised amount; in some cases you take the full amount. What determines you to make reductions in some cases and not in others?—It is a question of supply and demand.

5282. It is not done, I presume, with the idea of favouring any particular trade?—No; anything in the way of favouritism is the last thing that is thought of. I may say I thought it was most likely that the Commission would require the evidence of the superintendent of the market, who has every detail at his fingers' ends, as well as my evidence, therefore I have not informed myself so particularly upon the question of the tolls charged as I should otherwise have done.

5283. (*Sir James Corry.*) As to slaughter-houses, the Corporation say that if they wished to erect slaughter-houses, the Duke of Norfolk, having all the available land, or most of the available land, for the purpose, they would have a difficulty in doing so. Is that so?—The Duke of Norfolk has very much greater facilities for the erection of slaughter-houses, because he can appropriate any portion of his own estate that he likes for the purpose. There is now no fat cattle market at Sheffield of any extent; all the cattle killed at Sheffield are brought by railway, and, therefore, it is desirable that the market and the slaughter-houses should be somewhere where they would have direct railway communication. I have fixed upon a site for slaughter-houses, access to which from both the Midland and the Manchester, Sheffield, and Lincolnshire would be very convenient. It is out of the town of Sheffield altogether, but the trade are opposed to the removal of the slaughter-houses from their present position, but I should not regard that so much as I should the convenience and the health of the town, and, therefore, I am prepared to proceed with those slaughter-houses unless the Corporation choose to erect their own.

Mr. M. J. Ellison.

27 April 1888.

Mr. M. J.
Ellison.
—
27 April 1888.

5284. There seems to have been considerable delay in the Duke repairing or doing anything to improve the present slaughter-houses of which the Corporation complain?—There could not be any improvement unless they were altogether pulled down and rebuilt, because having been erected considerably more than 100 years, they are not in accordance with modern requirements.

5285. Then the drainage and all that sort of thing would have to be completely altered so as to be more in accord with present requirements?—The drainage would have to be provided according to the situation. The facilities of drainage would not be so great from the new site as they are from the existing one, because it is a site that is much further removed from the main outlet drain of the town.

5286. Suppose these slaughter-houses were rebuilt on the present site, would there be sufficient accommodation there for the trade?—I hardly think there would, because the object of the Corporation would be to have the slaughtering trade concentrated, and therefore the present extent of accommodation would not be sufficient. Indeed, I may say the whole of this is only some 5,000 yards. I think the site I propose for slaughter-houses is nearly five acres. There is no lairage now provided, so that butchers who bring the cattle to the town, if they are not going to be immediately slaughtered, have to find accommodation for them wherever they can, and there is a great deal of driving cattle backwards and forwards through the streets, which is a great nuisance and a source of danger.

5287. Are you aware if there is any large dead meat trade in Sheffield?—I do not think there is much; one of the largest butchers, Mr. Hydes, I think does some little trade of that kind. I do not think he does much.

5288. I need hardly ask you if you consider 20 years' purchase sufficient compensation to give the Duke of Norfolk for his markets?—It would depend upon what basis of profits the 20 years' purchase was calculated on, and then, I think, it could hardly be enough. I think 24 years' purchase, if taken upon the enhanced basis generally, would be much more reasonable.

5289 (*Chairman.*) 20 years' purchase would require a re-investment at 5 per cent. to avoid loss?—I should think it would.

5290. And investments at 5 per cent. are not easily obtained?—Not now.

5291. (*Mr. Mahony.*) You say that the site you proposed for the new market would be a very convenient one?—Very convenient as far as the town is concerned.

5292. But you say the trade object to it?—The trade object; they object to the market being removed.

5293. Have you taken any steps to ascertain the feeling of the townspeople?—No, I have taken it for granted that the townspeople would prefer to have it removed.

5294. Have the Town Council approved of the site?—They approved of the first site and conditionally of the plans: the plans were not so far completed as to be officially approved by them. The question of the new site has not been submitted to them, but there cannot be a question as to their approval of it, because it is close to the old site, and it is a level site instead of being a site on a steepish hill side.

5295. You said just now that if the Corporation purchased the Duke's rights the amount of rates paid by the Duke should not be considered in the expenditure?—I think not.

5296. Why?—Because though the property would be rateable to the Corporation they would get the money from the rates to pay the rates with; whereas now the rates are paid by a single ratepayer into the public Exchequer—the money would be put out of one pocket into the other in the other case.

5297. If the Corporation purchased the markets, the rates would be paid by the ratepayers?—Yes; but that makes no difference; it is a clear 2,000*l.* a year to the advantage of the Corporation.

5298. The Corporation purchase practically for the public?—Yes.

5299. And the public would pay the rates instead of the Duke of Norfolk?—Yes, and the Duke would pay his share of them. There is a difference between one single ratepayer paying the whole of the rates and the public paying the rates.

5300. (*Mr. Charrington.*) I think you stated that the revenue derived by the Duke of Norfolk is an increasing one?—Yes.

5301. Apart from that, do you believe that it is the opinion generally that the markets would be better in the hands of the public authority than in private hands?—No, I do not say it is the general opinion.

5302. There are no complaints about the markets you say?—There are no complaints as to the management of the markets.

5303. People do not consider that the Duke's arrangements are oppressive in any way?—No, quite the contrary.

5304. (*Chairman.*) I understood you to say that the question of purchase by the Corporation has not been raised again since 1877?—No, I think the purchase of the Water Company last year has absorbed everything they could raise.

5305. (*Mr. Little.*) With regard to these rates, is it not the case that if the rates were not deducted from the present income, and if the purchase were calculated upon the gross income, the Corporation would be buying that 2,000*l.* a year which they now get?—Yes; no doubt it would increase the balance of profits.

5306. Their income would not be increased by that 2,000*l.*, because they already get it?—Yes, they already get it.

5307. (*Chairman.*) Is there anything that you want to add to your evidence?—The Mayor of Sheffield made some observations with regard to stalls in the streets. In former times the stalls used to be erected in certain streets during the times of the fairs, they were not erected by the shopkeepers but by strangers who visited the town with certain articles for sale; that practice of erecting stalls in the streets was put an end to voluntarily by the Duke of Norfolk, on the representations of shopkeepers living in the streets, and the chief constable of the town. The practice has been discontinued, but the Corporation have never interfered in the matter.

5308. (*Mr. Charrington.*) Are hawkers allowed in Sheffield?—There are a great many hawkers who go about the streets of Sheffield.

5309. Is there any limit placed upon them?—I think they are not allowed within the precincts of the market without payment of dues.

The witness withdrew.

Sir James Corry here took the chair.

Mr. S. C. SLATER examined.

Mr.
S. C. Slater.
—

5310. (*Chairman.*) You are a draper at Market Drayton?—Yes.

5311. Have you lived a long time in Market Drayton?—I have been there since 1837.

5312. You wish to make a statement to the Commission with regard to the markets at Market Drayton?—Yes.

5313. Will you first tell the Commission the population of Market Drayton?—The population of Market Drayton would be about 5,000.

5314. Who is the proprietor of the markets?—Mr. Corbet, the landed proprietor in the neighbourhood.

5315. Does he hold them under any charter?—There is an old charter—an old parchment—that they cry the lairs with. That extends to the market; that is private property. Court leets used to be held every two years, now they are held much less often, but the jurisdiction was exercised in a very loose sort of way; there was nothing genuine about it, if they said they would fine people for certain things they never attempted to do it.

5316. Will you give us a short description of the markets?—This is a rough sketch that I have made (*producing a sketch*). The vegetables are along here, crockery is along here. In this space, which is a comparatively small one, and which is covered over, the roof being supported by pillars, butter and eggs and poultry are sold; they call that the Butter Cross. Then the standings extend all over this part, and all over this part also. The market, with the exception of that covered space, is all held in the street, and an obstruction to a certain extent is caused in some parts of the streets.

5317. Do you complain of the markets as being inconvenient to the public?—I complain principally of the unfairness arising from tolls being charged in one part of the market on certain things, while in another part of the market on certain things no toll is charged. For instance, a farmer's wife can bring any quantity of butter, eggs, or poultry she likes into that covered space and she pays nothing at all, she has a covering over her head and she pays nothing there; whereas all along here anyone who brings in fruit or vegetables, or anything in a basket, no matter what the basket contains, whether four pennyworth, four shillings' worth, or fourteen shillings' worth, is charged a penny. The exemptions consist of butter, eggs, poultry, and rabbits; but suppose a poor woman brings a rabbit in a basket and puts it on the ground where these vegetables are she must pay a penny though it might be a tame rabbit.

5318. The Commission understand that what you complain about is that certain articles are exempt from toll, and are allowed to be placed in a better position than other articles that are exposed and are charged toll?—Yes; as far as complaint is concerned, I do not know that I have come here to make a complaint exactly. I come here to give information upon the markets.

5319. There is a cattle market at Market Drayton, is there not?—Yes; that is in the hands of a Company which was formed about 20 years ago for the purpose of taking over the Cattle Market from the Lord of the Manor.

5320. Are tolls collected on any other kind of articles except vegetables and fruit?—Yes, they are collected off earthenware, and they are also collected off the stands; the tolls charged are supposed to be for the stands, but if a person comes and puts a lot of chains upon the street, or anything of that sort, he has to pay a toll for them; therefore that does away with that idea.

5321. Who collects these tolls?—Mr. Wycherley, who is appointed at the Court Leet. He is the tenant of Mr. Corbet, the holder of the tolls. I cannot ascertain exactly what he pays for the tolls, but he pays so much a year for them. Then certain work is done by him which has been done, I suppose, for 10 years, in clearing away anything that there might be upon the streets, which is generally finished by 8 or 9 o'clock the next morning.

5322. He does something for the tolls that he collects?—He does that work; he clears the streets.

5323. Does the collection of these tolls act as a restriction upon trade?—I could scarcely say that the tolls are small, but the greatest hindrance to trade is

allowing a lot of strangers to come in and sell the same goods that the shopkeepers in the town are selling. No matter what a man brings in, there is a stand for him directly on payment of a 1s. or 1s. 6d. for the day.

5324. Is there any market square?—This is the High Street (*indicating the position on the sketch*). There are a certain number of stalls put half-way down this street; it is very broad, perhaps it is 21 yards here, and about seven yards there. Cheshire Street is full of standings too.

5325. Do you think that the market rights should be in the hands of the local authority?—Decidedly I think so.

5326. Do you think that if the markets were under the local authority they would be very much better conducted than they are now?—They would be conducted with more equality; a person comes to the market with a basket containing four pennyworth of apples, and before she sells them she must pay a penny for putting that basket down, while another person brings to the market a basket with perhaps 30 lbs. of butter, and she does not pay a penny and has a cover to her head.

5327. Under what right is the one exempt from toll and the other not?—I do not know; that has been the custom as long as I remember.

5328. (*Sir Thomas Martineau.*) One complaint that you make is that the streets are blocked up by persons selling their goods in the streets?—Yes, that is one complaint.

5329. Then the remedy for that I suppose would be to provide a market-place for them elsewhere?—Yes.

5330. Should it be under cover?—I should say so. I do not know any town in Shropshire that has not a covered market.

5331. It would involve considerable expense to establish such a market-place, would it not?—Of course that would depend on the structure of the market.

5332. Do we rightly understand that persons selling articles in the covered space pay nothing?—They pay nothing. That is the Butter Cross.

5333. Is there no annual rent charged?—No.

5333a. Is it one set of people who go there regularly, or can anyone come in and use that place free?—They can come and use it for butter and eggs and those things, not for vegetables; it is a very small place, I should say it is not more than nine or ten yards long and seven yards wide.

5334. Is it first come first served in that market?—I suppose it would be so, if it was filled the last comers would have to get close round it; it has no walls at the side; formerly there was what we used to call the Round House at the bottom and the Stocks, but that is cleared away.

5335. Do the same people come there week after week?—Yes.

5336. Then are they selected in any way by the tenant of Mr. Corbet?—Not that I am aware of, they come from all parts; I do not know that there is the slightest selection made.

5337. Have they to apply to Mr. Corbet's tenant?—I do not know that they have to apply.

5338. Why does not one of these poor women who you have been speaking of, who exposes her vegetables and fruit in the open street, go into that covered space?—She would not be allowed to do so, the only articles exempt are butter, eggs, poultry, and rabbits; but as I said before, if a rabbit came in a basket, though it might be a tame rabbit, that would be charged a penny.

5339. The only way to get rid of that inequality would probably be for the markets to be bought from the lord of the manor by some public authority?—Yes, I do not see any other way of getting out of it.

5340. Has any attempt been made to purchase those rights?—Not lately.

5341. Has there at any time?—I cannot remember that there has.

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5342. Have you a local board?—We have not.

5343. Are you under a rural sanitary authority?

—Yes.

5344. The present lord of the manor has erected some butchers' shambles, has not he?—In 1852 they were erected. Formerly the butchers had their stands upon the street. Before Mr. Corbet, the lord of the manor, erected the present buildings, another gentleman bought some old property, which he made into shambles, and allowed the butchers to go in if they liked—they did go in, and found it much more comfortable than where they were before. As soon as they got in, Mr. Corbet entered a protest against it in some form, but the gentlemen did not think it worth their while to contest the matter with him, and the consequence was that the butchers were removed from that place to a building that was put up on the other side of the street. The building which occupied the site of the existing shambles was a very large old red brick building—it had been unoccupied for, I think, 8 or 10 years, and at that time when the toll holder found that the butchers went into these other shambles, he immediately commenced to build shambles on the site of that house; and the result was that the butchers had to leave the other shambles and go into his.

5345. Are rents paid by the butchers who use those shambles?—Yes.

5346. Are the rents complained of?—I have not heard any complaints of the rent in the shambles.

5347. Is the state of things that you have described much complained of by the people in the town?—Very frequently they complain of it—they complain of the market being in the streets, because it is rather unusual in our county. If you go to Whitchurch or Newport, 10 or 11 miles away, you find they have covered markets there which are very comfortable.

5348. I did not understand what you said about the shopkeepers objecting to strangers coming in?—We are inundated with people from all parts who want standings. I do not know how that is to be remedied.

5349. Do not you think that that is an advantage?—I do not think it is an advantage to have strangers coming into the town and sell the same things that we sell in our shops—we have taxes to pay and they have nothing to pay except what they pay for their standings.

5350. You object to it in the interest of the shopkeepers?—Yes, it affects everyone, grocers, ironmongers, drapers, and almost every trade in the town. Of course those people have liberty to come to the market town.

5351. Did you say that there was a lease granted of the tolls, that they were let by the lord of the manor to someone who collects them?—Not a lease.

The witness withdrew.

Mr. F. L.
Lightfoot.

Mr. FRANCIS LOWRY LIGHTFOOT examined.

5365. (Chairman.) You are agent for Mr. Corbet, and secretary of the Market Drayton Cattle Market Company?—Yes.

5365a. You wish to give the Commission some information with reference to the Market Drayton Markets?—What I have to say is pretty much embodied in the written information that I have given to the Commission, I do not know whether I can add anything further.

5366. This statement that you have sent forward has been prepared by you?—Yes.

5367. Have you heard any complaints about the situation and state of the markets in Market Drayton?—No, no complaints have come before me at all.

5368. No complaints with reference to the want of covered accommodation for goods exposed for sale?—Several times there have been discussions amongst the farmers and so on, as to whether any better convenience could be afforded, but the conclusion that has always been come to, has been that it is best as

I gather that the tolls are let to Mr. Wycherley for so much, and he makes what he can of them.

5352. (Mr. Mahony.) Is the place where the strangers sell their goods, in the street?—Yes, it is anywhere in the street—anywhere here (*pointing to the sketch*).

5353. You say they pay a shilling?—They pay 1s. or 1s. 6d. for a stand—if they do not have a stand they have to pay 1s.—they lay the things flat on the ground.

5354. Those stands are away from where the vegetables and fruit are sold?—Yes.

5355. Are these regular moveable stands?—Yes, they are moved and put into this Butter Cross in the evening.

5356. They belong to the owner of the market?—Yes.

5357. Goods of all kinds are sold on the stands?—Yes; every kind.

5358. (Mr. Charrington.) I think I understood you to say that if an apple woman comes in with her basket and puts it down, she pays 1d., while persons bringing in butter, pay nothing?—Yes.

5359. Why is that?—I do not know.

5360. Is it in accordance with an old charter or statute?—That I have not been able to gather.

5361. It has been the universal practice as long as you remember Market Drayton?—Yes. If a person brings 60 lbs. of butter in a basket there is nothing to pay, whereas other parties who bring in vegetables and fruit have to pay, and if it is a wet day, it is a miserable thing for them. If you were to go down the market on a wet day you would feel sorry for them.

5362. (Chairman.) We may take it that your chief complaint is that strangers are allowed to come into Market Drayton and sell their goods on these stalls and on the street against the interest of the shopkeepers and ratepayers?—That is one thing, the other thing is the one party paying no toll at all, and the other party close by paying a toll on ever so small a quantity.

5363. I suppose you have heard no complaint from those who are exempt?—No, they have a covering over their heads, though it is not much protection from the cold, indeed it is colder than in the street, because all the sides are open, and when there is a little wind it gathers force.

5364. (Mr. Charrington.) Has the trade of the market increased?—No. There has been a very small trade lately. I can see these strangers to the town, ironmongers and others, taking a great deal more money away than the shopkeepers take. I do not know whether that is considered a fair thing for a town, it is not fair for tradespeople to gather money in another town.

It is. It has often been talked of in the market at Market Drayton, not officially, but amongst the farmers and so on, and my opinion is that the general feeling in Market Drayton is very much in favour of things remaining as they are. I never heard any dissatisfaction expressed at all.

5369. Have you heard any dissatisfaction expressed by the shopkeepers on account of strangers coming in and selling goods on these stalls in the streets?—No, nothing has ever been brought before me to that effect.

5370. Who is it that receives the tolls that are collected on market days?—The bailiff, a man of the name of Wycherley, who is Mr. Corbet's tenant.

5371. Are these tolls leased out to him?—No, he is the tenant of the Corbet Arms Hotel, which is the principal hotel in the town, and for the last 50 years, I believe, the tenant of the Corbet Arms has always collected the tolls. Locally they call him the mayor

of Market Drayton, and he always collects these tolls, and sees that the stalls are put out properly.

5372. What does he do for the tolls that he collects?—What he does is this, he keeps the town in order, he has the town cleaned after every market, and he provides all the stalls; all these stalls that are put out, for which a charge is made, belong to him, and he cries the fairs. He attends and collects the tolls every Wednesday, and does everything in connexion with the market that is necessary and usual.

5373. Can you tell the Commission how it is that some articles are charged with tolls and others are not?—No, nothing has ever been charged except fruit and vegetables in Market Drayton—there is no charge made for anything else.

5374. There is a toll charged on cattle?—Yes: the cattle market is at present in the hands of the Cattle Market Company, Mr. Corbet as lord of the manor has nothing to do with it now.

5375. He sold his rights?—He sold his rights for 60*l.* some years ago to the Market Drayton Cattle Market Company. It was thought by the inhabitants of Market Drayton that it was a great nuisance to have the cattle sold in the streets, and Mr. Corbet said he did not care about retaining his right to levy tolls on cattle, he would sell at a nominal price if they would form a company, and take the cattle out of the town. That was done, very much at the wish of the inhabitants—it is a great nuisance to have cattle standing in the middle of the Market Place—in fact it interrupted the traffic.

5376. Has that been a success?—Yes, a great success and a great comfort to the town, the only opposition to it was from the publicans, who thought it would take away their business, the publicans in the centre of the town objected, but they are the only people that I ever heard any objection from in any way.

5377. Are not these stalls that are put in the streets considered an objection on the same grounds, namely, that they obstruct the streets?—I never heard so—there is plenty of room—the street in which these stalls are put is a very wide street, and there is plenty of room for traffic.

5378. (*Mr. Little.*) What is the width of the street?—I do not know exactly, it is a very unusually wide street, it is a sort of street and market place in one.

5379. When the stalls are up, is there still room for two carriages to pass?—I should have said plenty; I never saw any inconvenience from it at all.

5380. (*Sir Thomas Martineau.*) No toll is ever taken for butter, poultry, and eggs?—No, I never heard of any toll being taken for those articles.

5381. Notwithstanding that no toll is taken on those articles, the lord of the manor built the covered market

place in which butter, eggs, and poultry are sold?—That was in the year 1824—about that date.

5382. It was an act of public spirit on his part to provide a cover for those who were not paying anything?—Yes, the Corbets would do anything for the town that they could.

5383. He has not provided any cover for the people who sell articles other than butter, eggs, and poultry?—No, there is no covered market, except the butchers' shambles and that in which butter, eggs, and poultry are sold. I have seen other things besides butter, poultry, and so on under the covered market. They may take anything there that there is room for, but it is chiefly butter, eggs, and so on.

5384. (*Mr. Mahony.*) Mr. Corbet built the butchers' shambles?—Yes.

5385. When?—In 1847.

5386. Was there any accommodation for the butchers before that?—Only in the public street; they used to have their stalls in the street, in the same way as the stalls are now, and he built this as a cover for the butchers.

5387. Was there no covered building of any kind on the other side of the street for a time?—I never heard of it. I did not live at Market Drayton in those days. I have only been there 20 years. I cannot speak with certainty as to anything before that date. I never heard of any building under which the butchers were before they came to these shambles.

5388. Do you know what induced Mr. Corbet to build the butchers' shambles?—No, it was long before I went to live at Market Drayton. I do not know what the object of it was.

5389. (*Mr. Charrington.*) Can you tell us whether the revenue for the market, given in your answers to our queries as 45*l.* a year net, is pretty much about what it has been for a great number of years, and whether it is likely to increase?—I think that is about what it has been for the last 20 years, perhaps it is a few pounds more than it was. I do not see any reason why it should increase, it is a very large market.

5390. Is the population on the increase?—Not much, Market Drayton is about at a standstill.

5391. (*Chairman.*) As far as you know no complaint has been made in reference to the accommodation provided?—I never heard any formal complaint as to the accommodation from anyone.

5392. (*Mr. Charrington.*) Has any desire been expressed on the part of the public authorities to buy up the market rights?—Two or three of the inhabitants have proposed that they should be bought up with a view of getting up a company. I think partly with a view of getting a profit out of it themselves.

5393. (*Mr. Little.*) There is no corporation or local board in the town?—No.

*Mr. F. L.
Lightfoot.*

27 April 1888

The witness withdrew.

At No. 32, Abingdon Street, Westminster.

TWENTY-SECOND DAY.

Thursday, 10th May 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART., M.P.
SIR THOMAS MARTINEAU.
MR. CHARLES I. ELTON, Q.C., M.P.
MR. SPENCER CHARRINGTON, M.P.

MR. JOHN J. HARWOOD.
MR. WILLIAM C. LITTLE.
MR. JAMES ALLANSON PICTON, M.P.
MR. PIERCE MAHONY, M.P.
MR. HENRY A. P. ROOKE, *Secretary*.

Mr.
R. Bruford.
10 May 1888.

Mr. ROBERT BRUFORD examined.

5394. (*Chairman.*) We understand that you are connected with agriculture?—I am.

5395. Are you a farmer?—Yes.

5396. And you live within two miles of Taunton?—About that distance.

5397. You have interested yourself in the local affairs of Taunton for a good many years, have you not?—I have.

5398. Are you one of the country trustees for the market there?—I am.

5399. And you are also owner and lessor to the market trustees of the site of the Taunton Cattle and Sheep Market?—Yes.

5400. The land belongs to you, and the trustees hold it of you?—Yes.

5401. You are also, I think, an alderman and deputy mayor of Taunton?—I am.

5402. Were you present at a meeting of the trustees on the 18th of November last year?—Yes.

5403. Was there a large attendance at that meeting?—Fairly good; I cannot remember the number now.

5404. And the queries for owners of markets not being local authorities were submitted to that meeting?—They were submitted to the general meeting; they had been previously dealt with by our committee, which was very well attended.

5405. And you vouch for the accuracy of the answers which have been sent to us?—I believe they are accurate; there is nothing in them wrong, that I am aware of.

5406. You have also, I think, seen the questions put to the town clerk, Mr. Meyler, and to Mr. Goldsmith, and the answers which they have given?—I have.

5407. Have you any remark to make upon those answers?—Mr. Meyler's evidence was pretty correct, and given, I think, in a very good spirit. He has made some slight errors, which no doubt were made from want of a better knowledge of the facts.

5408. Since the incorporation of Taunton in 1877, has there not been a good deal of communication between the Corporation and the trustees?—There has.

5409. Have the trustees been willing to hand over the market to the Corporation?—To say that they are willing, I think, is rather using a strong expression. They have expressed willingness to do so, provided that the town council would prepare and present a scheme which they could approve of.

5410. That is to say, that they did not object to the transfer on principle, but wished to impose conditions?—I could scarcely say that. I think upon principle they would object to it, but it was very strongly im-

pressed upon them by Mr. Meyler, and the opinion that he brought, that they must give way in some way or other, and if there was a scheme that they could somewhat at all events approve of, they might accept it.

5411. Have the Corporation taken any steps in consequence?—Not beyond talking about it, and obtaining, I think, an opinion or two from counsel.

5412. Therefore at present the negotiations are in abeyance?—Quite so.

5413. Was there a considerable preponderance of local opinion in favour of a transfer to the Corporation?—No, the preponderance, I think, was very slight, and that was chiefly obtained by representations made to them which have never been fulfilled.

5414. I suppose expectations were held out that meat would be supplied at a much cheaper rate?—Yes; it was one of the expectations that everybody would be allowed to carry on his business unrestricted; in fact that there would be butcher's shops all over the town, and that meat would be sold at a very much reduced price, and that no licenses would be required for any person to sell anything.

5415. I believe you wish to make some statement as to your lease of the cattle and sheep market?—I have no particular wish to make any statement, but I am quite willing to answer any questions respecting it.

5416. Where is this cattle and sheep market situated?—It is situated in what is known as the Castle Green adjoining the old Taunton Castle, and close to the centre of the town.

5417. In 1880, we understand, the trustees had a lease of that market which was about to expire?—Yes, in about two or three years, I think.

5418. Did they then try to obtain another site?—They did; they advertised and took every means they possibly could.

5419. And they failed to do so?—They did.

5420. And then we understand that they came into your terms for letting the market on a new lease?—That has been so stated, but I think, if I may be allowed, I may perhaps say more about that than has been already. The old lease which was in existence when I purchased the property in 1876, I think, was granted when there were only 12 markets a year, at a yearly rental of 58*l.* tenants paying the land tax. At that time the markets were held fortnightly, and property had increased in value in Taunton; and as there were more markets held I thought I should have a little more money. I felt that my site was only required for market purposes on market days, and I offered, if the trustees would allow me to make what I could of the site when not required for market purposes, to let

it to them at a rent of 65*l.* a year. They asked me if I could give them any more land. I said that there was a path between the sheep market and the Castle Garden. It was 4 feet wide, and the superficial area will be altogether between 400 and 500 superficial feet. I was told by some of the trustees that it did not belong to me. I pointed out that it did, and that they had no right to it; and I had the path barricaded. They talked of bringing an action for trespass against me, and I told them to do as they liked. However, they found that they were wrong, and they admitted that I was right, and they paid the costs that I had incurred in maintaining my right. I may say that I was subjected to several insults by some members of the trust and other persons who perhaps thought with them, and I became very careless about dealing with the trustees at all upon that ground.

5421. We understand that there was some difference of opinion, and that some of the trustees retired in consequence?—Yes, after the thing was finally settled. Those very persons and others were the ones who differed at first and who raised all the objection they could. Had it not been for them there is not the slightest doubt that the rent would have been less, and that things would have gone on amicably. But in the meantime I received an offer from a private individual of 100*l.* a year for the site, which I declined to entertain until I was certain what the trustees would do as to the market, because my chief object was to ensure the continuance of the market on the present site, being satisfied, as I believe everybody is who knows Taunton well, that it is about the best site that could be obtained. I had heard before that some members of the trust and some on the town council were determined to remove the markets from where they now stand, and my primary object was to prevent that ever being done.

5422. We understand that the trustees have the power of continuing or discontinuing the holding after 7 or 14 years?—That is so. I have no power until the expiration of 21 years from the date of the lease.

5423. They may be off the bargain if they please, and you may not?—That is so.

5424. We have been told that the powers of the trustees, as at present exercised, are in restriction of trade; do you admit that?—Certainly not.

5425. Certain trades are regulated by the Market Acts, as we understand?—There is a regulation with regard to the butchers' shops, and also with regard to the fish shops, but they have an excellent butchers' market almost close to the cattle and sheep markets, and there is a fish market adjoining. There are three butchers' shops licensed within the limits which the first Act of Parliament prescribed; that is to say, a thousand yards from the market; and in addition to that there are six or seven other butchers, who either reside within the present Parliamentary borough or perhaps on the other side of the road.

5426. On the whole, are you of opinion that the taking over of the market by the Corporation would be any improvement to the trade of the town?—I think not, and I speak, too, with considerable experience of both bodies.

5427. I suppose the Corporation would require to employ a staff very much like that which is now employed by the trustees?—There is no one at present engaged by the town council who could attend to the duties of the market; they would have to employ some person in addition. The town clerk might probably do the clerk's duties with some assistance, for which, no doubt, he would get paid.

5428. I presume that the trustees are an unpaid body?—Yes, quite so.

5429. You state in the paper which you have placed before us that if the bondholders were paid off and the markets were transferred to the Corporation the present income would be materially lessened; will you explain how that come about?—If you have a copy of the Taunton Market Act you will see that clause 16 on page 74 is in these words:—"Provided

"always, and be it further enacted, that when and so soon as all the debts due and owing by the said trustees and the principal and interest of all mortgages made and granted by the said trustees under the authority of the said recited Acts, and of this Act, any or either of them shall have been paid off, nothing in the said recited Acts, or either of them, or in this Act contained, shall extend to prevent any person from selling any corn, grain, fish, meat, poultry, or other provisions, or any article, matter, or thing whatsoever, within his or her private dwelling-house or shop within the said town." I intain that that clause would so affect the income of the trust that it would be very materially reduced, so much so that I do not believe that they would derive sufficient revenue to pay the rates and taxes on the premises and to keep them in repair, and to pay the salaries of officers to look after them.

5430. Have you any means of comparing the prices at Taunton with those of the neighbouring towns or surrounding districts?—I know that many persons from other towns, such as Bristol and Bridgewater and other places, frequently buy meat at Taunton on Saturdays and take it home. I have known cattle dealers and butchers many times to take meat from Taunton to Bristol. I was talking to a public official only last Friday, who lives at Bridgewater, who told me that he always came to Taunton to purchase his meat because he found it of better quality and lower in price. He begged me not to mention his name, although if you wish to have it and will not publish it, I will do so.

5431. There are only three butcher' shops in Taunton itself, as I understand?—That is a mistake altogether. There are three within the limit of a thousand yards of the market, the limit prescribed by the first Act.

5432. That is the old Parliamentary borough?—I think so; I do not exactly recollect the boundary of the old Parliamentary borough. A thousand yards from the market was always understood to be the limit.

5433. There are other butchers' shops beyond that limit?—Yes, there are six or seven, one or two across the road perhaps within fifty yards of the boundary of the borough. In fact I know one case where the boundary of the borough is just in the middle of the road, and a butcher has a shop just on the other side.

5434. The trustees, I suppose, are mostly men connected either with the property or trade of the town, or with farming in the neighbourhood?—Chiefly so.

5435. We understand that 20 of the trustees are from the country round, and 40 from the town itself; you do not think that the presence of 20 trustees who are unconnected with the town interests is disadvantageous?—They are not unconnected with the town. The chief part of them have property in the town, or adjoining, and they frequent the markets and do all the business they can do in the borough. They have a great deal more interest in the town than 20 of the town trustees have.

5436. (*Sir Thomas Martineau.*) The three butchers pay 85*l.* a year each for their licenses, do they not?—They pay 35*l.* each, 105*l.* altogether.

5437. Is it true that other applications have been made to the trustees for licenses for butcher's shops?—There was an application made at the first meeting in January last by a member of the town council who had made an arrangement as I have since heard with the holder of one of the licenses for the purchase of his business. For some reason, I do not know what, that fell through, and I believe it fell through just the day before the meeting of the trustees. This person sent an application, but the trustees did not entertain it, because the premises were not suitable in any shape or form, and the other had not declined to take the license, and in fact the license was taken and paid for the same day.

5438. Have there been any other applications for licenses that have been refused?—There was a license applied for some years ago to sell pork; I

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believe it was only pork. That was declined, because there was a kind of understanding with the three holders of the licenses that no others but those should be granted during that year.

5439. Then it was refused in order to keep up the monopoly for those three persons?—I can scarcely say that, because here is the market with something like 100 stalls in it in the centre of the town which is open every day except Sundays. Last Saturday there were 65 butchers there, chiefly from the country.

5440. Do you not think that if the trade were thrown open without any payment being required from the butchers for their licenses there would be an increase of butchers in Taunton itself?—No doubt if there was no restriction there might be more within the 1,000 yards, but there would not be more outside. There are six or seven butchers outside living within the borough or close upon it who supply meat.

5441. Then to that extent it is restrictive of trade?—I think not.

5442. Surely if there would be more butchers in the absence of licenses than there are now, the present system must be in restriction of trade?—I can scarcely agree with that, because of the experience we have at Bridgewater and Wellington, where they have no restriction of that kind, and I am told that there are in Wellington about five butchers, and in Bridgewater about nine. At Taunton we have usually between 60 and 70; there were 65 there last Saturday.

5443. With regard to prices, have you not heard of persons who have gone shopping in Wellington and Bridgewater because the prices of meat and provisions were so high in Taunton?—Nothing of the kind; I never heard of it, and I have known Taunton for 50 years, and Bridgewater and Wellington as well.

5444. We have had that statement made here; you do not consider that that is correct?—I do not agree with that; I do not believe it.

5445. You have had experience in the local government of Taunton; do you or do you not think that there would be an advantage, generally speaking, in the unity of governing bodies?—I do not look upon the trustees as a governing body. They simply manage a certain amount of property, the same as perhaps bankers would, or the same as churchwardens would, in the case of a church. They do not interfere at all in the actual management or government of the town; they simply manage this property of which they are trustees.

5446. Do you not think that market management is a proper subject for municipal administration?—I will not say that it is an improper one; but from what I know of the management of the town council, having had eight or nine years' experience of that body, I think that the Taunton market is better managed under trustees than it would be under the town council, as both bodies are at present constituted.

5447. (*Mr. Little.*) What is the amount of the land tax that the trustees pay in addition to the rent for the cattle and sheep market?—I cannot tell you exactly; it was between 30s. and 40s. a year.

5448. It was not a very large amount?—It was not. The land tax was redeemed by me before the present lease was executed.

5449. I think you said that if the debt were paid off, the power of the trustees, or of the Corporation as representing the trustees, to take money for licenses, would cease under the Act?—The Act of Parliament seems to say so.

5450. How much do you raise by these licenses?—I cannot tell you; the clerk no doubt can tell that.

5451. We have it in the return that the amount paid for butchers' licenses, and licenses for selling corn and fish in shops, is 170*l.*; is that the whole?—That would be, I presume, the amount for the licenses; but I maintain, that if the restriction as to sale in the shops were taken away, our butchers' market would be virtually destroyed. Therefore we should lose, not only what we get for licenses, but the whole of the revenue,

amounting to something like 800*l.* a year, which is paid by butchers, the chief part of whom come from the country, and who are very glad to pay the toll demanded of them.

5452. You think that they would not come to sell their meat in Taunton in shops?—Several of them have told me that they would not think of coming; and taking the example of Wellington and Bridgewater, where they have markets and no restrictions, they have plenty of shops in the town, quite sufficient, no doubt, but no butchers' market.

5453. If they sold meat in the shops would they not be the same benefit in the town as if they came to the market?—But there would not be room for 60 or 70 butchers there. We have 60 or 70 on Saturdays, and probably 10 or 12 on Wednesdays.

5454. Who pays the 700*l.* or 800*l.* that comes from the butchers?—The principal part of it comes from the butchers who live in the country.

5455. But do they pay it in the long run?—No doubt. It answers their purpose to bring in the stock. Some of them perhaps are little farmers and kill their own, and they get a stall on Saturday for 4s. They cannot very well distribute the 4s. over half a bullock, four or five sheep, and a pig or two.

5456. (*Sir James Corry.*) On the whole you consider that the management of this market in Taunton by the trustees is for the benefit of the public generally, I presume?—I do.

5457. And if it was handed over to the Corporation it would, in your opinion, be a loss to the public?—I believe that the ratepayers would have to make up the deficiency which would no doubt arise unless they do what they have never told me they proposed to do, that is to say, continue the present powers of the trustees.

5458. Would there be anything to hinder their continuing the present powers of the trustees?—I suppose an Act of Parliament would be necessary to enable them to do so, because this clause says, "So soon as the debt is paid off;" it does not say by whom it should be paid off, whether by the Corporation or by any other body or person. It seems to me that this clause would come into operation unless there was some other Act to continue the powers.

5459. What interest are the market trustees receiving?—4*l.* per cent.

5460. That is over and above the expenditure for keeping up the market?—A little. The bondholders get 4*l.* per cent for their money.

5461. (*Mr. Little.*) They are not the trustees?—No. Some time ago I do not believe that a single bond was held by a trustee; but about a year ago I took the initiative in getting the interest reduced from 4½ per cent. to 4 per cent. The majority assented to the reduction, and the trustees had some 400*l.* of balance to their credit; and the bondholders all consented, I believe, with three or four exceptions, and the trustees paid off 400*l.* with the balance they had in their hands. Three holders of 100*l.* each said that they wanted their money, and I took their bonds and paid for them myself at the reduced rate of interest. It was quite open to anybody else to take them if he chose.

5462. (*Sir James Corry.*) Are the complaints against the market trustees at Taunton numerous?—Oh, dear, no, except from a few persons who, if it were not for the little stir that they kick up occasionally in public matters, would not be thought very much of.

5463. (*Mr. Picton.*) The Commission have had it stated to them that the powers of the trustees, as they are exercised, are restrictive of trade; you controvert that, I understand?—I certainly disagree with it entirely, and I believe that the majority of tradesmen in Taunton would do the same.

5464. Do you say that the majority of the ratepayers would controvert that?—I think so.

5465. Is not the Corporation elected by the ratepayers?—Yes.

5466. And the Corporation is desirous of acquiring these rights?—Some members of the Corporation.

5467. Not the majority?—The majority may, because they get a number of votes, but the number of votes in Taunton do not always represent the wealth or the intelligence of the borough as a body.

5468. You will admit, at least, that it would remove certain restrictions on trade within the thousand yards limit if the money was paid off?—So it would, whether it was paid off by the Corporation or by whomsoever it was paid off. If anyone chose to make a present of the amount that would remove the restriction at once.

5469. (*Mr. Harwood.*) What do you do for these butchers who pay you 35*l.* a year?—We do not do anything specially for them. That is for the licenses to carry on business on their own premises in the borough.

5470. You render them no service, but you simply take 35*l.* a year out of the profits of their trade and give them nothing in return?—Nothing beyond the license.

5471. Are you afraid that if they had not to pay a tax, for which you render no service, to the extent of 35*l.* a year they would become dangerous competitors with the market?—I do not say that they would, but I say that if you had a larger number there you would get more shops about the borough, and the market would be virtually of no use.

5472. Do you not think that people would go where they could get food cheapest of the same quality?—I do not know that they would go very far to do it.

5473. Do you not believe that the people in this town would do like people in other towns, viz., go where the same kind of article of the same quality was the cheapest?—Yes, there is no doubt about that.

5474. Do you think it right to tax a butcher to the extent of 35*l.* a year simply to prevent him from being a dangerous competitor with your market; would you maintain that the working people who buy from him are to pay to the tune of 35*l.* a year more than the legitimate value of the article they purchase for the purpose of maintaining a monopoly which you want to continue in the shape of a market?—I do not see it in that light. These same butchers have stalls in the market and go there every day if they choose.

5475. You said that the market would have no customers, and you charge these butchers 35*l.* each for their licenses; do you not think that the people ought to have an opportunity of going where the meat is cheapest of the same quality?—I do not believe that the meat would be in the slightest degree cheaper.

5476. That is not the question. Do you not believe that the people in this town would, like other people, go where the same quality of meat was the cheapest?—They generally go to the nearest place if they can.

5477. Time is not very valuable to a working man on the Saturday night when he is walking about with his wife with his wages in his pockets; 50 yards is not of much consequence to him then; do you not think that he would go where meat is cheapest?—If other circumstances were equal, undoubtedly.

5478. You are deputy mayor, and therefore have of course been mayor; having been elected to that position by the popular vote, do you mean to tell me that you would maintain a market whose only justification for its existence is that it needs a monopoly to prop it up, and which is only upheld by taxing the trade of other people as you tax these butchers?—I do not think that at all. I think that if the butchers' licenses of 35*l.* a year each were discontinued at once it would not make a farthing of difference to the price of meat in Taunton, provided that you could still maintain the market.

5479. Supposing that there are two shops selling precisely the same article at the same rental, and that one man has to pay 35*l.* a year for something altogether outside his business, in order to make up that 35*l.* a year he must charge so much more for his goods, do you mean to tell me that people would go to a particular place simply because it was 20 or 30 or 40 yards nearer, although at that place the price was

higher?—No, I do not think they would go there altogether for that reason, unless they could get some special benefit by it; but I say that 30*l.* or 40*l.* a year on the trade that these butchers do would not be worth their notice at all; the sum is so infinitesimal in proportion to the money they turn over, that it is beyond calculation to know what effect it could have upon the price of the meat.

5480. Then you deliberately say that that tax of 35*l.* a year for which you render no service or do anything in the world, does not cause the man who pays that tax to charge more for the articles which he sells?—I think that those men would charge just the same for the meat, provided that you had the market here. I believe the thing which keeps the price of meat down is getting a large number of butchers into the market; and those people would not attend the market if butchers' shops were allowed all over the town. We get 60 or 70 butchers in the market on Saturday; that is a thing that keeps down the price of meat, not the question of reducing 35*l.* a year off the large returns that these licensed butchers make. That would be nothing.

5481. (*Mr. Elton.*) We might put it to a practical test. I understood that there are some butchers inside who pay 35*l.*, and there are some in the same neighbourhood who do not; do you find any variation in price between the two shops?—Not a bit.

5482. I understand that the 35*l.* you put as being paid, not only in respect of these butcher's shops, but as part of the price of keeping the market itself in Taunton?—There is no doubt about that.

5483. And the market you say is a well-attended one, and the prices are cheap?—The market is well attended and the prices are cheap, lower than you can find, I think, in any town in the West of England for goods of a similar quality.

5484. Are there some butchers of the class which you describe and people who hold land also who live between Taunton and Wellington?—Yes, there are some.

5485. There is a place called Bradford, I think near?—Yes.

5486. Supposing any of those people lived between Taunton and Wellington, do you find that they go to the Wellington or to the Taunton market?—I know two or three living in that neighbourhood who come to Taunton. Whether they go to Wellington or not I cannot say. I know that there are five butchers in Wellington, and I know two at Bradford.

5487. They may be at both?—Yes, they may be; but there cannot be very many that go to Wellington, because there are only about five butchers there.

5488. With regard to the market powers and the local government powers which you were asked about, I understand that though the early Acts gave the market trustees considerable local government powers, you acquiesce in the position that they are only to keep the market powers which they now possess, and that you do not want to go back to lighting the town and that sort of thing?—We contribute 100 guineas towards the lighting and the scavenging of the town. That was a compromise made many years ago by, I think, the Local Board of Health and the market trustees.

5489. You approve of the present arrangement by which the market trustees confine themselves to the market duties?—Certainly, and I do not wish to go back to interfere with the town council in any way.

5490. When you let the site of the cattle market you told us that some questions arose; was one of the questions whether the market trustees had power to take on lease instead of purchasing a freehold market?—That question was raised.

5491. But there was no doubt eventually that they had only to find market accommodation, whether leasehold or freehold?—The trustees acted under legal advice. I was not a member of the committee, and I was not mixed up with it very much; I did not attend the meetings of the trust during the whole of those negotiations. It was all done under legal

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advice; they took the opinion of counsel and of several lawyers.

5492. Was that the matter upon which complaint was made to the Charity Commissioners?—It was.

5493. And I suppose they advised and decided?—They did. I recollect part of their answer; that they saw no reason to object to the trustees taking the property at the rent and for the purpose for which it was taken.

5494. The dispute about the path was a very simple affair; I gathered from you that it was your land over which there was a private right of way into the old castle?—That was so.

5495. And that turned out to be the state of facts?—Yes.

5496. Have the market trustees ever been advised that they could legally convey to the Corporation, having regard to the fact that they are charity trustees?—I do not think that they have ever been advised that they can do so. They have only gone so far hitherto as to ask for a scheme.

5497. Have you been informed that the Corporation have been advised that they could take over a charity trust; that is the point which arose in my mind on the last occasion?—I have not. I am not a member of the markets committee of the town council.

5498. It occurred to me that there might be a difficulty about mixing up the market improvement with the charity. If the market rights were given to the Corporation there would have to be some legal means found, I presume, for separating the charity trust from the market trust?—That is the opinion of some of the members of the trust and of others that I have had conversations with.

5499. It would be unusual, I gather, for a town corporation to be charity trustees. The negotiations between the trustees and the Corporation have been on the footing of a proposed transfer, I understand, and not on the footing that the property is already vested in the Corporation?—Certainly not.

5500. (*Chairman.*) Is it a fact that persons living outside the town have been prosecuted for sending

meat or vegetables into the town and selling them there?—If you refer to Mr. Goldsmith's evidence, I think some of that is certainly very far-fetched, and a great deal of it is beyond my knowledge.

5501. But you have not answered the question as I put it?—I believe that persons have been fined for various offences, but what they are I do not know; I do not remember any case such as you mention.

5502. You spoke of the bondholders and the debt upon the market, for which the trustees are now paying 4 per cent.; is there any sinking fund?—When the trustees have a surplus they pay off any number of bonds that they may be able to pay off. They send to the bondholders to say that they will pay off so many bonds, and they ask whether anyone is willing to take anything less than par; if no one will take less than par they will ballot, and pay off such numbers as are drawn.

5503. But that depends upon the accident of having a surplus?—Yes.

5504. There is no provision made for extinguishing the debt at a certain time?—There is no provision made beyond that. The debt at one time was something like 24,000*l.*; it was reduced for a good many years at the rate of something like 100*l.* a year, until the town council and the Local Government Board compelled the trustees to alter the floor of the market. That led to considerable expense, and stopped the payment off of any bonds until last Christmas, when 400*l.* was paid off.

5505. You say that it was reduced at the rate of 100*l.* a year?—About that; I do not say that was the exact amount, sometimes perhaps an exceptional outlay may have occurred, and nothing was paid off.

5506. At that rate it would take 240 years to pay it off?—As the debt got smaller the interest would be less. The amount paid off last year, and the reduction of the interest from 4½ per cent. to 4 per cent. makes a difference of 105*l.* per annum in the interest.

5507. (*Mr. Charrington.*) What is the amount of the debt still outstanding?—17,500*l.*

The witness withdrew.

Mr. T. J.
Shepherd.

MR. THOMAS JAMES SHEPHERD examined.

5508. (*Chairman.*) We understand that you have been for the last 12 years and that you are now clerk to the Taunton Market Trustees?—That is so.

5509. Will you describe the manner in which the business of the trust is arranged?—There are 60 trustees, 40 of whom are townsmen, and 20 are gentlemen living in the immediate neighbourhood within a distance of seven miles.

5510. Vacancies are filled up by the trustees as a body, are they not?—They are, as they occur.

5511. Are the appointments for life, or if not, for how long?—They are for life, but the appointment is determined if a trustee does not attend a meeting for two years.

5512. Are the meetings held in public?—Yes; and the proceedings are invariably reported.

5513. We have heard something about the debt of the trustees; the borrowing powers, we are told, are limited to 24,000*l.*?—Yes. The debt amounts to 17,500*l.* now.

5514. Is there a regular reduction going on every year?—400*l.* was paid off at Christmas last year, and the interest was reduced from 4½ per cent. to 4 per cent. Consequently at the end of this year I have no doubt that we shall be able to pay off 300*l.* more, because we have saved 105*l.* by the reduction of the debt and the reduction of the interest.

5515. We have heard a good deal about these butchers' licenses; the sum charged for them is 35*l.* in each case, is it not?—It is.

5516. How many are granted?—There are three at present.

5517. Is there any rule as to that number not being exceeded?—No; the trustees would consider any application made, as they did in a case recently

before them, a Mr. Vantrump applied for a butcher's license for premises lately occupied by the town council; but the trustees considered that the premises were not at all fit for such a purpose, inasmuch as there was no back entrance and no yard.

5518. Was that the only reason?—It was within 150 yards of another butcher.

5519. To what extent then does this payment of 35*l.* give a monopoly to those three butchers?—I think they have not a monopoly, because they have to pay the tolls in the butchery as well, and to attend the market on Saturdays and Wednesdays.

5520. You say that they have to attend the market; do you mean that they are under any obligation to do so?—Yes, that is part of the contract.

5521. But we have heard that a considerable number of butchers living outside attend the market?—Yes; there is an average number of 70 country butchers attending the market on Saturdays, and 12 on Wednesdays.

5522. Therefore, the effect of the monopoly is not to prevent those butchers supplying the town, and attending the market, but only to prevent their having establishments within a convenient distance of the market?—That is all.

5523. For what other trades are licenses required?—For fish, vegetables, and corn.

5524. What sums are exacted in each case?—Three guineas for corn dealers, 10*l.* for a fish license (there are three of those), and the others vary from 2*s.* to 1*l.* according to a fixed scale.

5525. We have heard something of a man being fined 5*l.* for selling corn by sample in a shop; can you give us any information as to that?—I know

nothing as to that, and I can find no trace of it in the records.

5526. I suppose we may take it that the market, both for fish and meat and corn, gives ample accommodation?—Yes, I think so, certainly.

5527. Is it largely supplied from the surrounding country?—Yes, very largely; principally.

5528. Have you any means of comparing the prices at Taunton with those outside?—I went to Wellington on Thursday, and I found from information that the prices of meat were rather in advance of ours. One man whom I know, a solicitor living close to Wellington, comes to Taunton every Saturday, and takes home, so far as he can, enough for the requirements of the week; and I know as a matter of fact too that large quantities of meat are purchased in Taunton market, and taken to Bridgwater and Bristol on Saturdays.

5529. For how long has this method of appointing trustees been in existence?—From the date of the first Act.

5530. Do you find any difficulty in getting competent people to act as trustees?—None whatever. A complaint was made by Mr. Edward Jeboult, and it was answered after a time. They requested us to get a surveyor's report of the value of the cattle and sheep markets, and I produce that. He gives the annual value at 116*l*. There was a long correspondence with the Charity Commissioners, and in June 1884 they wrote in effect that they were perfectly satisfied with the explanation given by the trustees.

5531. (*Mr. Harwood.*) You say that you never knew of anybody being fined 5*l*. for selling corn from samples; I suppose that you have no regulations to prevent people from selling corn in the town from samples; if a person comes in at any time, say next week, and brings samples, he is perfectly free to sell his corn?—Perhaps under the strict interpretation of the Act, he would not be free to do so, but the trustees have never enforced a fine. I have gone back a good many years ago, and I cannot find any trace of that 5*l*. fine which I think Mr. Goldsmith mentioned.

5532. Do you say that persons are free then to sell corn by sample?—The trustees have never taken any action in that matter.

5533. But that is not the question. It is alleged that somebody has been fined for selling corn by sample, and your answer would lead one to suppose that there would be no interference or interruption by you?—I do not think that the trustees would take any action in such a case.

5534. But have they any power to do so if they wished?—I suppose that if they carried out the Act of Parliament strictly, they would have the power.

5535. It has been said that the reason why you insist upon charging 35*l*. for a butcher's licence, is because the market might be injured; is the price of meat cheaper than it would be if the market were closed?—That is, I consider the general impression.

5536. Then if the meat is the cheapest in the market, why do you compel those butchers who pay you 35*l*. for the privilege of selling in their shops to come into the market on two days a week?—Because we consider that the market would be injured, unless such steps were enforced.

5537. But if there are two shops in juxtaposition, would you not suppose that one shopkeeper would be injured, if he charged more for his meat than the other did?—I am hardly prepared to answer that question.

5538. Would not the men who sold it cheapest be in the best position?—I suppose that would be, naturally.

5539. He would not be jeopardised in any way by the other man charging more?—No.

5540. (*Mr. Picton.*) The trustees are, in effect, a close Corporation, are they not?—Yes.

5541. They are self-elected?—They are.

5542. How often does the whole body of trustees meet?—The whole body of 60 would very rarely

meet except on great occasions. But there is a very fair attendance of 20 or 25, or something of that sort.

5543. Is a general meeting of the entire body summoned at certain intervals?—Certainly, on the first Friday in every month; and the Committee of 15 who really are the active men report.

5544. How often does the Committee meet?—Twice a month regularly, but oftener if necessary.

5545. Is the management of the details of the business entirely in the hands of the Committee?—Yes, certainly.

5546. And the general body does not interfere with the details of management?—That would depend entirely on circumstances. If the Committee draws a report which is presented at the general meeting, it would be for the general meeting to decide whether they would approve the report or not.

5547. Is the report never carried out until it is brought before the general body?—Never.

5548. How long are the Committee appointed for?—For three years, but five retire annually.

5549. Are the five who retire eligible for re-appointment?—They are not for one year.

5550. That secures a circulation of service throughout the whole body?—Yes.

5551. As to this, Mr. Vau Trump, whose application for a license was refused, one of the reasons that you gave, was that there was an old established butcher's shop within 150 yards; then the interest of this butcher was taken into consideration, was it?—I do not think that was taken into consideration, so much as the fact that the trustees did not consider another butcher's shop there desirable, particularly because the premises were not adapted for it.

5552. Still you have alleged as a reason that another butcher's shop was already established within 150 yards; that is an additional reason to the want of accommodation?—Yes, that is a very old establishment.

5553. Then it would have injured that existing butcher's shop, would it?—It might have done so; I cannot say.

5554. Was there a Mr. Trood who paid a license of 10*l*. as a greengrocer?—Yes.

5555. Has that license been reduced?—It has been reduced to 1*l*.

5556. Was there a Mr. Folland who formerly paid 4*l*. a year?—That is reduced to either 1*l*. or 10*s*.

5557. Why were those licenses reduced?—Mr. Trood had established pretty nearly a market just over the bridge, and exposed very large quantities of potatoes for sale.

5558. But why were the licenses reduced?—Because a reduction took place in the trade.

5559. How did the reduction in the trade take place?—Mr. Trood gave up to a very considerable extent the importation of potatoes.

5560. Were there other competing greengrocers who established businesses?—There are smaller ones that have crept up.

5561. There were a larger number of greengrocers in fact, when Mr. Trood and Mr. Folland had been established some time?—There are a larger number now.

5562. Was that taken into consideration in reducing the license?—Yes, because they both appealed and stated their case to the trustees, and their complaint was taken into consideration.

5563. Then it was felt that it would be unfair upon them that they should have to pay a high license when there was so much competition in the trade, that the payment of a sum of 10*l*. a year would be felt to be burdensome on their business?—Yes.

5564. Would the same principle apply to butchers who have to pay 35*l*. a year for a license to carry on their trade; is not that a burden upon their business?—They complain of it.

5565. (*Sir James Corry.*) Is there any competition amongst the butchers when any of the licenses drop in to obtain their premises?—Yes. There was an

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instance the other day; Mr. Vantrump made an offer for Hardwill's business, and it fell through; otherwise he would have been very glad to pay 35*l.* for a license.

5566. Then, although you charge 35*l.* for the license, that does not prevent butchers coming forward and wishing to get a license if there is a vacancy?—No, certainly not. I may say that the butchers' shops are arranged by the trustees in this way: one at the north of the town towards the railway station, one at the east and one at the west.

5567. They fix the sites?—Application was made some years ago for these sites, and the trustees have granted them.

5568. Can you increase the number of licenses?—There is no power to prevent it.

5569. Has it ever been considered whether the number should be increased or not?—Only in the case of the old premises that I have spoken of.

5570. Then you have had no applications for any of the outside butchers to get a license?—None have been made.

5571. (*Mr. Little.*) To go back to this question of the toll taken upon corn sold by sample; you have referred in your printed statement to question 4,570 where it is stated generally, but you have not referred to question 4,545 where the circumstances are stated. If you will look at that answer, you will see that Mr. Goldsmith stated that "In 1864 the trustees collected the tolls (by their servants), and two farmers, one from Bratton Clovelly, Devon, and one from Glastonbury, were fined 5*l.* each, the former for sending to a licensed corndealer at his shop, corn for sale, and the latter for offering for sale steers in one of the streets, both of whom were entirely ignorant that they were offending, 5*l.* was the lowest penalty the justices could then inflict by the Market House Acts (hence the summonses issued by the lessees being settled, and no doubt they made the victims, pay)." Do you know any-

thing of that?—I do not. I have searched the book for 1864, and I can find no trace of it at all.

5572. The trustees have power to prohibit hawking in the town, have they not?—Yes.

5573. And that power they exercise?—I do not mean to say that they encourage hawking, but the small people buy fish of the fishmongers, and carry it about in some of the back streets.

5574. Then hawking is not absolutely prohibited?—I can hardly say that. I find that Mr. Goldsmith states that the trustees receive the toll. The trustees do not take toll from hawkers, and they cannot legally do so.

5575. (*Sir Thomas Martineau.*) You have three fishmongers in Taunton, have you?—Yes.

5576. And they pay 10*l.* each for their licenses?—Yes.

5577. Have you had applications from other persons for licenses for selling fish?—No, an application was made in this way a few weeks since by a stranger to the town. He wanted to know whether he could have a license, and the trustees said that when he had taken available premises they would consider, and in all probability they would grant him one; but it was very vague, and the trustees considered that there was a great nuisance attached to a fish shop, because the back premises are always in a very dirty state, and unless the premises were suitable they would refuse a license, though I apprehend that if any person came forward with suitable premises they would grant him a license.

5578. Is that the only case that you can remember of an application for a license to sell fish?—Yes, that is the only one.

5579. (*Mr. Picton.*) When you say that you searched the record for this fine of 5*l.*, you mean the records of the trustees, I presume?—Yes.

5580. Have you searched the records of the court where the persons were alleged to have been fined?—No, I have not.

The witness withdrew.

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Mr. JOHN TAUNTON examined.

5581. (*Chairman.*) You have been solicitor to the market trustees of Taunton, we understand, for a good many years?—Yes, for about 25 years, with a break of two or three years in about 1878 or 1879.

5582. Naturally you are thoroughly acquainted with the Acts of Parliament which refer to the trust?—Quite so.

5583. We understand that you have been under the necessity of occasionally prosecuting persons for selling without a license?—It is so; we had to prosecute Messrs. Hardwill in particular many years since; 20 years ago I should think.

5584. There was also a case, was there not, of a greengrocer named Folland?—Yes, that went before the Court about 12 months ago.

5585. In both those cases the law was on the side of the trustees, was it not?—It was.

5586. To what branches of trade does this monopoly extend?—People are restricted from selling marketable commodities without a license.

5587. From selling any commodities which might be sold in the market?—Any commodity which is sold in the market is a thing that they should not sell without a license.

5588. To what distance from the market does that apply?—To the whole Parliamentary borough as it existed in 1840. It has been enlarged since for other purposes, but our Act has remained the same.

5589. There is an inner circle within which trade is confined to persons having licenses, and outside that everything is free?—Yes, and accordingly there are three licensed butchers in the town, and I think four or five just outside the restricted boundary.

5590. Then, as we understand, the effect of the restriction is not to prevent butchers from establishing themselves in the town, but only to keep them off at a

certain distance from the market?—It is considered undesirable for the town and the interests of the market that the restrictions should not be put in force by the granting of licenses, particularly having regard to our knowledge of Wellington and Bridgwater. I went to Bridgwater on Monday last, and there the appearance of the town is sadly marred by, I think, 20 or 21 butchers' shops of all sorts, sizes, and descriptions, spoiling the appearance of the town, as it seems to me, and injuring health a little.

5591. Then do you put the expediency of the restrictions on æsthetic and sanitary ground?—Partly; that is to say, I think it desirable that, as at Taunton, we do, the majority of the butchers should be bound to come into the market instead of having so many butchers' shops in each street. Bridgwater is a smaller place than Taunton, and there are 21 butchers in the place. The result is that there are only six or seven butchers coming from the neighbourhood into the Bridgwater market-house on market days. At Taunton, because the restrictions prevent more than three butchers competing in the town, we get from 60 to 70 in the market every week.

5592. But I presume that in the other town which you have mentioned business is done outside the market, because that is found more for the convenience of the customers?—So far as convenience goes the butchers are licensed with reference to the convenience of the people. One has a butcher's shop in the north, one in the south, and another in the east, we will say.

5593. But we presume that there would be more if the restrictions were taken off?—At present I should say that besides those three shops which are licensed for every day in the week, the butchers outside the restricted circle come in daily, seven or eight in number, and rent stalls; so that 10 or 12 butchers come in

on Wednesdays and rent stalls. On other weekdays (not Saturdays) two outside butchers occupy stalls; and on Saturdays 60 or 70 butchers are in the Market House.

5594. I want to get at the grounds of your objection to an unlimited number of butchers within a certain distance of the market?—My opinion would be that it is desirable for the sake of the town and its appearance and healthiness, appearance particularly, that the butchers as a rule should be bound to go into the market-house. At Taunton there is a singularly spacious and excellent house, such a one as there scarcely is in the west, ample for the purpose, with every accommodation.

5595. But the people do not find it for their convenience to use the market, and they prefer to deal outside?—No, they buy either at the shops on ordinary weekdays or they go to the market on market days. I think that the majority of the people go to the market because they are sure to have the cheapest meat there.

5596. Are you not assuming rather that the customers exist for the sake of the market, and not the market for the sake of the customers?—We find the meat cheap; I can speak from my own experience, because at Taunton, through their being only three butchers in the town, it is worth the while of 60 very well-to-do farmers and butchers to come in, all of them on Saturday, and 10 or 12 outside butchers occupy stalls in the market on Wednesdays, and not on other days except Saturdays. The result is that the price of meat is kept down, and all the best joints can be bought at 8d. per lb.

5597. You want to bring a pressure to bear upon them to induce them to sell as much as possible inside the market rather than outside?—Yes.

5598. Is not that assuming that the trustees understand the business of these people better than they understand it themselves?—At present the trustees think that the market administered under the Acts of Parliament is a great success; that the trustees with the market money have beautified and ornamented the town, and done it immense good, and brought the market to high pitch of perfection, unsurpassed by any place in the west of England, which causes residents to come there, both because of the good appearance of the town from there being so few butchers' shops, and, secondly, from the notoriously low price of meat.

5599. I presume that if the dealers found it more convenient to go into market rather than to sell outside they would do so without any obligation?—No doubt.

5600. Then if they require an obligation to make them do so, we must infer that they find it inconvenient?—Yes. I was talking to Mr. Goldsmith, as I often did at that time, upon public matters, and we were having a conversation as to the price of meat, and I told him that I was giving 8½d. or 9d. per lb. He said, "There is no occasion to do that whatever." That had been my experience previously. He then named two country butchers whose top price was 8d. per lb. for the best joints, and I went to one of them accordingly.

5601. Is it the fact that a farmer was about to be proceeded against for selling meat in the town which he had killed, and for which he had got orders in the town?—It is, and he eventually took a stall in the market. He competed with the others, and there was a very great disturbance made. He came in underselling the others. He was not prosecuted. As usual, we warned and threatened him, and at last made that proposition to him that he should take a stall in the market and compete fairly, and he did so.

5602. But he undersold the others?—He did at first.

5603. Therefore, presumably, he found it cheaper not to sell in the market?—He certainly found a market outside the market-house for his goods.

5604. Would it not follow from that, that the effect of having the market, and having these restrictions, is

to increase rather than reduce the price of food?—This was a very small man. I think it was as a price to get a footing, which he failed to get, whereas the 60 or 70 that I spoke of are mostly farmers and butchers, and they are exceedingly well-to-do men. As the day gets later I understand you may buy the meat at even less than 8d. per lb., and some people go round late on purpose.

5605. I understand you to say in the statement which you have put before us, that you do not interfere with men dealing on a small scale, though they might be legally liable to prosecution, but that you do interfere if they do it on any other than a small scale?—That is so. Any common informer may sue for a penalty, including hawking, or the trustees may do it. They throw upon their licensees the onus of doing that, but it is not very often that they do it. In other words the trustees do not prosecute for hawking fish in the suburbs, where the poor have the benefit of it, though the hawking of it was an offence.

5606. I have no doubt that the motive is entirely humane and creditable, but is not that rather like saying that the trustees claim an arbitrary power, that one man shall deal upon more favourable terms, and another upon less favourable terms?—It is; and if it is not suggested in the paper before the Commission I would respectfully suggest that in any amending Act there should be a fixed scale of tolls for hawkers to pay in order that they may be practically treated the same as butchers.

5607. I think you said that if the powers of the trustees were transferred to the Corporation there would be a diminished income; can you explain how that would be?—I think that would be the income of the butchers' licenses which amount to about 105l. a year. Then there are greengrocers' licenses and corndealers' licenses.

5608. You mean that the income from licenses would be lost?—The income from the licenses would be lost, and not only that, but if the licenses were withdrawn it would be what they call free trade in the town; and I think the country butchers would then all cease to come, so that the tolls derived from them which, I believe, amount to nearly 1,000l. a year, would be lost also.

5609. Why would the country butchers cease to come?—I do not think it would be worth their while, looking at the experience at Bridgwater. At Taunton they come because the people buy their weekly provisions from them, the competition keeping down the prices.

5610. Then the object of holding the market is to bring in as large a number of country butchers as possible?—The trustees all regard that as their strong point.

5611. But is that not doubly hard upon the town butcher; first of all that you restrict their number and put a fine upon them, and that in the next place you make artificial arrangements to create a competition with them from outside?—It is so. Nevertheless the town butchers have thriven very well, and made fortunes.

5612. You have had various negotiations with the Corporation about the transfer of the markets, have you not?—I have known everything that has taken place.

5613. There has been no definite proposal made to you, has there?—There has never been any scheme propounded.

5614. You say that you think any new Act ought to improve the borrowing powers; in what respect do they require improvement?—To enable us to borrow at a less rate of interest than the 4 per cent. now paid, if practicable. At present they have exhausted the borrowing powers which are for 24,000l., and I do not know that any more money would be wanted. That is rather Mr. Easton's idea. I thought that the fine to be imposed by the magistrates was too much; that is remedied by the Summary Jurisdiction Act. The restrictions on hawking I have always

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thought an anomaly, or rather the inability to take toll from them. They can only be prosecuted for hawking. I think that the penalties should be less, and that the tolls should be fixed instead of being arbitrary, as at present, for all purposes except live stock.

5615. And you would define marketable commodities?—Yes; that has been a moot point.

5616. At present I suppose neither you nor anybody else knows exactly what are the commodities upon which you are entitled to levy a toll?—Not quite.

5617. You compared the arrangements at Taunton with those at Bridgwater, in which latter place you say that there is a large number of butchers' shops in the town, and also fish shops, and greengrocers?—Yes, all free.

5618. Do you find the result to be, that very few country butchers attend the market?—That is so; I understand that the Corporation of Bridgwater only pay about one and a half per centum upon their bonds.

5619. I think you have another instance at Wellington of the market being disused, and ultimately becoming valueless in consequence of the competition of private shops?—There is free trade, so called, in private shops, and the stalls are almost deserted, I understand that only four or five attend the market, and those men more studiously attend the Taunton markets than they attend the Wellington markets, saying that they can better dispose at a large market like Taunton of all their carcasses than at Wellington.

5620. But we may presume that the Wellington people did not find the advantages of the market since they did not use it when they had one?—I know cases of Wellington people coming to Taunton and taking back a large stock with them, and Bridgwater people doing the same.

5621. (*Sir Thomas Martineau.*) You said that the Parliamentary borough of Taunton had been extended; has the Municipal borough been extended in the same way?—I am not aware. The Parliamentary borough was extended I know. I am under the impression that the Municipal borough and the New Parliamentary borough are co-extensive.

5622. If that is the case the town council would represent the whole of the area, including what is within your own trust and the outside part as well?—They would.

5623. Then if they were the market authorities they would consult the convenience of the inhabitants, whether they were within the area of the market trust or outside it, would they not?—Yes.

5624. And they would have the same rule on one side of the line as on the other side?—Yes, it would seem that the whole of the borough should have all the benefit of the market.

5625. You think that whatever the arrangement may be it is a desirable thing that it should extend over the enlarged area instead of operating only in the restricted area?—Yes.

5626. (*Mr. Little.*) You look upon butchers' shops as nuisances?—I thought that at Bridgwater the look was very forbidding.

5627. You said that it was better for the appearance of the town and better for the health of the town that there should not be butchers' shops; why do you not carry that out to its logical conclusion and refuse the licenses to those three butchers at Taunton?—They are not in the immediate heart of our town as they are at Bridgwater in great numbers. Our market-house is easy of access, and so is the Bridgwater one. It is not a very large area. I would wish to add, on the part of the trustees, that they have sought through me, and under the advice of counsel, to get a scheme propounded according to the present law. Instead of that the Corporation have adopted Mr. Wright's opinion which says that they have already got the property. The Act of 1882 gave the trustees power, if they thought fit, to hand it over

voluntarily; and they said at once that they did not think fit to do so; but they went upon another section and asked for a scheme as before, and that has never been granted.

5628. (*Mr. Harwood.*) You say that if the number of butchers was unrestricted, it would close the market?—I think so.

5629. Do you think it was a mistake to build the market?—I do not know that I could say that it was a mistake, because it is constantly occupied and utilised.

5630. If the market has to be maintained by compelling people to come into it against their will, and restricting the number of butchers' shops, it shows, does it not, that the market has not justified its existence?—It has paid its way very well.

5631. By compelling people to come in. They come in voluntarily to get meat cheaper than they otherwise would.

5632. But if a butcher comes into your town and wants to set up business, you will not let him start; you only want three butchers?—Yes.

5633. Supposing that, in connexion with this market, you happened to build some offices, and it was said that they were suitable offices for solicitors, and that you came into the town, and you saw a very nice place and thought it would suit you admirably, what would you think if the market authorities came and said, "We cannot do with any solicitors here; all the solicitors must go to the market"? You would say, "I want to start where I can do most business." Would you not think it great oppression if you were not allowed to have offices where you chose?—Yes, it would be so in that case.

5634. Do you not think that if the same conditions were applied to you as a professional man, as are applied to a butcher in Taunton who wanted to start a business where he thought he could do best, you would consider it great oppression?—Whether mistakenly or not I do not know, but we are all under the impression that if there were what is called free trade among the butchers the prices would rise, and they would have a monopoly.

5635. Supposing that the butchers had the right to fix the place where a solicitor should carry on his business, would you not think that that was an unwarrantable oppression?—I suppose that is a matter of opinion as regards the butchers.

5636. Is not that which would be an oppression to you on the part of the butchers equally an oppression to the butchers on your part?—The principle of free trade seems to be fair, but we think free trade exists now, and we say that the so-called monopoly results in a large free trade and in the general advantage.

5637. (*Mr. Elton.*) The trustees have endeavoured to carry out their local Acts to the best of their power?—To the utmost.

5638. And you consider that they have favoured the country butchers rather than butchers established in the market town?—Yes.

5639. With regard to Wellington market; Wellington has had a new market built lately, has it not?—Yes, by a company.

5640. The market accommodation is comparatively recent there, is it not?—It is.

5641. You said something about their not using the market when they had it; but I understand that they have only just had a new market-house built within a year or two?—Yes.

5642. Are not the stalls filling up pretty well?—I am told not.

5643. With regard to that Act of 1882 enabling you to transfer the estates and rights to the Corporation, has any question arisen as to whether you could transfer property held on charitable trust to a municipal corporation under that Act?—The question has never been raised, but I have always thought that one of the reasons for their not complying with our request to furnish a scheme was that the existence of the charity as presented a difficulty to the Corporation. I think there are three provisions. One is to make over it

we think fit, and the other is to do it upon a scheme like the former law. The Act of 40 Victoria is re-enacted, but one section applies to the getting a charter of incorporation, and obtaining a transfer of markets, &c., at one and the same time. Another section (the Taunton case) applies to the charter being first obtained, and the markets being afterwards sought to be obtained by a Corporation.

5644. Did the opinion of Mr. Wright, of which you told the Chairman, deal with this charity trust question?—No, so far as we could judge by the Corporation's communications with the trustees; but I have never seen the opinion.

5645. So that notwithstanding that opinion there may be still a great legal difficulty and obstacle in the way of the transfer?—Very great. Mr. Wright's opinion does not go to that the least in the world. We have always been advised to favourably consider, and have always promised favourably to consider, any scheme. Once there was what was called a scheme, and we submitted it to counsel, and counsel said that

it was no scheme, and that we must ask again in the language of the Act.

5646. (*Chairman.*) Is there anything further that you desire to add?—There has been a great deal of excitement upon the subject of the Jubilee down there, and some prejudice has been imported into this matter. All sorts of things were wanted there. One was a new town hall at the cost of 20,000*l.* Then 10,000*l.* was got up for the hospital, and all sorts of things, involving very heavy expenditure. The trustees were greatly blamed because they would not sell one of the best portions of their property, which they let very advantageously, in the very centre of the town, for the purpose of this new town hall being built. There was a great tilt against them, which I think was very unjust, and they were urged to go for a poll of the town, and they were called cowards if they did not do so; but they did what they thought right.

5647. You mention that as explaining why there should be a feeling against the trustees which would not otherwise exist?—Quite so.

The witness withdrew.

Mr. JOHN NANSON examined.

5648. (*Chairman.*) You are the town clerk of Carlisle?—Yes.

5649. And you have been town clerk, I understand, for upwards of 40 years?—Yes; I succeeded my father, who was appointed in the year 1818, so that the appointment has been held for upwards of 70 years between the two.

5650. I believe that you are prepared to produce copies of various documents of early date relating to the Carlisle Market?—Yes.

5651. But I apprehend that there is no question at issue with regard to the validity of these various grants and charters?—No, none whatever.

5652. Therefore, I need not put any questions to you upon them. You have various modern Acts regulating the market in various ways, have you not?—Yes. The first Act relating to markets which gave extended powers, and incorporated the Markets and Fairs Clauses Act, was the Carlisle Improvement Act of 1873.

5653. And there is a subsequent Act, is there not, regulating your arrangement with the railway companies?—Yes; the Act of last session, which carried out an arrangement which was entered into as the result of a very heavy litigation between the railway companies and the Corporation, by which the Corporation established their right to take tolls from the railway companies, and there were agreements entered into by which the Corporation agreed to accept a fixed sum from each railway company, and those agreements were confirmed by Act of Parliament and scheduled to the Carlisle Corporation Act of last session, which extended the city boundary considerably.

5654. We understand that Carlisle is a Corporation by prescription, and has a charter dating from the reign of Henry II.?—That is the earliest charter. The charter itself, I believe, is not in existence, but it is recited in a charter of Henry III. as having been burnt by the Scotch, and that is also incorporated, or an inspeimus of it contained in the charter of Edward I., which is the earliest charter we possess. The charter of Henry III. is in the Record Office.

5655. We understand that there are various tolls payable to the city; will you state what they are?—There is the gates or through toll, or city toll, which is payable on all goods brought into the city or carried out of the city, or through the city: in fact it is a toll almost the same as the octroi of the Continent, only the tolls paid are very small sums, so that no one feels any evil from them. The Corporation are liable by prescription for the maintenance of all the public streets in the ancient city, and that toll goes towards keeping them in repair. Then there is also the ancient toll

for horses, cattle, and sheep sold in the city and suburbs, or on Carlisle sands, and taken out of, or brought into, or through the city, which may be either treated as a market toll or as a through toll. There is the shire or county toll, which I should almost think is unique. It is a toll for all cattle, horses, and sheep bought in and carried or driven out of the county of Cumberland, or that pass out of the county to any other place to be sold; and that is collected by the lessees or agents of the Corporation at the boundaries of the county after the following rates:—for every head of cattle, 1*d.*; for every horse, mare, or gelding, 2*d.*; and for every score of sheep, 2*d.* It really used to be paid also on goods, but the Corporation in the last century and the century before had a good deal of litigation with respect to this toll, and it was finally firmly established by a decree of the Court of Exchequer, and it has been collected ever since only on cattle. There was a similar toll which belonged to the Corporation paid for cattle and goods coming from Scotland into Cumberland, but by the Act of Union between England and Scotland, Scotland was to be placed on exactly the same footing as England as regards all tolls, and customs, and other things; so that that toll was abolished, and the Corporation got a compensation of 2,400*l.*, which was laid out in the purchase of land.

5656. Is the shire or county toll for horses, cattle, and sheep carried out of the county still levied?—Yes.

5657. How do you know that the cattle, horses, or sheep are going to be carried out of the county?—By seeing them. That toll is collected at the boundary of the county on the road.

5658. But if they are taken out by the opposite side of the town I suppose they pay nothing?—The collectors are posted at the different main roads leading out of the county into Northumberland, or into Westmoreland, and so if a drove of cattle is being driven, say, over Eamont Bridge, which goes from Cumberland into Westmoreland, they pay the toll collector. If they did not pay toll for an animal, the animal would be distrained.

5659. Then you have your collectors all round the county?—Yes; but with regard to cattle which are taken out by railways, those tolls are commuted by an arrangement with the railway companies, except on the North-eastern or Newcastle and Carlisle line, where it is still collected. The manager of the company is allowed to make some arrangement with the Corporation, and collects the toll from the cattle going by that railway; but in the case of any horses or cattle that are driven out, of course the collector is able to collect the toll.

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5660. What is the toll?—This toll is mentioned in a writ of the fifth of Henry III. as then belonging to the Corporation. The origin is supposed to have been this:—It was mainly collected from cattle being driven, many of them, from Scotland into England through the county of Cumberland, when the whole of the county, or the greater part of it, was lying open and unenclosed; and it was originally a sort of payment, I suppose, to the Crown for the cattle going across and feeding on the wastes, as they were driven over them.

5661. But that would hardly account for its being payable to the city of Carlisle, and not to the county of Cumberland?—It was granted, I suppose, by the Crown to the city.

5662. What is the corn market toll?—That is simply for the corn that is brought into the market and sold. At present the corn market is carried on in rather a primitive way in Carlisle, that is to say, the corn is brought and pitched in the open streets, and they do not sell so much by sample, though they do to some extent, so that that does not bring in very much. It has long been proposed that there should be a proper corn exchange, and there probably will be one. It will be possibly made in connexion with the new markets which are now building.

5663. Then there is stallage for articles exposed for sale in the market-place and streets, is there not?—Yes, in the market-places and all the main public streets. Of course that crowds up the streets very much on the Saturday. It is a very large market and great crowds attend it. The complaints are very few; in fact, the only complaint is that really the streets require to be cleared, and therefore the Corporation are building very extensive markets now, and the bulk of all these things will then be transferred into the covered market and sold there.

5664. Who is building the market?—The Corporation under their right as owners of the market; and they got the sanction of the Local Government Board to borrow 30,000*l.* for that purpose.

5665. On what days is the greatest attendance at the market?—On Saturdays. The Wednesday market is comparatively a small market, more for the wants of the inhabitants. Saturday is the great market day, and it goes on till late, because on the Saturday evening up to 10 o'clock, or later, the working people all come and buy the things for the Sunday.

5666. There are also considerable sales of cattle, are there not?—Yes, originally there was simply a market on the market ground, or sands, but for the last ten or fifteen years the auction marts, or sale yards, have sprung up, and much the largest amount of business is done in them. By the Carlisle Improvement Act, 1873, no auction marts or sale yards can be established without the consent of the Corporation; so in order to obtain a license they have to receive the tolls and keep an account and pay them over to the Corporation.

5667. Have you had any complaints as to the amount of tolls or stallage?—None, I think, as to the amount. Sometimes the market people have thought that they would be better under cover than in the open streets, and that is now being remedied.

5668. Is the market largely attended by farmers in the neighbourhood?—Very largely, and also by buyers from, I may say, all the large Yorkshire and Lancashire towns, and from Newcastle. There is a very large trade done in the sale of butter, which is made in Cumberland.

5669. I will not go into the detail on the subject, because it hardly concerns us here, but I understand that there has been a good deal of litigation between the Corporation and the Duke of Devonshire?—Yes, as to the right of the Corporation to use this particular piece of ground for the cattle market. It always has been used for that purpose, but the Duke maintains that it was by permission only, and that the Corporation have no right to send their collectors on to the ground to collect the tolls. They are still

collected, as they used to be collected, as the cattle come off. The Duke has no market of his own; he has no right to a market. The Corporation have the franchise of the market.

5670. But have they any monopoly right, any right of preventing a market being held in the immediate neighbourhood of theirs?—By the common law no one can legally set up a second market, it is said, within 7 miles of an existing market, unless he gets power by an Act of Parliament to do so. Even the Crown could not grant it by charter. The owner of the original market would have a right of action for disturbance of the market, or would get an injunction.

5671. Have the Corporation appropriated any ground as a site for a cattle market?—Not yet; but they have plenty of ground round Carlisle which they could use for that purpose, and which would be just in the neighbourhood of what are called the sands. The trial only took place a few weeks ago, so that they have hardly had time to consider what is best to be done.

5672. But that is not included in the plan for the new market buildings?—No, not for cattle. Under the Act of 1873 they got power to acquire compulsorily any rights of the Duke of Devonshire, as owner of the soil, for the purpose of improving the cattle market. Of course if the Duke of Devonshire held the land subject to the right of holding the cattle market, the land would be worth very little to him, but if he holds it free from all rights whatever, and could let it as building ground, the Corporation would have to pay a very large sum for acquiring it, and this perhaps was the principal cause of the litigation.

5673. (*Mr. Picton.*) Does the Duke of Devonshire claim any market rights at all?—None whatever.

5674. Then it is not a question that concerns market rights or tolls?—No; in all the trials he expressly disclaimed any claim to any right to a market, or to take tolls.

5675. It merely affects the user of a particular portion of land?—Yes. Since this has been decided he makes the people bringing the cattle on to the sands pay small sums, say about a penny for a drove of cattle, as an acknowledgment that they are coming on simply by permission, and not as of right.

5676. It is a toll, in fact?—No, it is not legally a toll; it is simply an acknowledgment. At any rate the Duke does not claim it as a toll.

5677. Are all these various tolls paid cheerfully, or are complaints ever made about them?—Generally there is no difficulty whatever. Sometimes there are disputes as to whether a person is liable or not. The through, or city, or gates tolls are payable for entering the ancient city. The walls were the boundary of the ancient city; it was a walled town. The boundary, as extended by the Municipal Corporation Act of 1885, is beyond that, and the boundary as extended by the Act of last year goes beyond that again, and makes it more symmetrical, including the cemetery, and a good deal of new buildings. It is goods entering or passing through the ancient city that pay the ancient city or gates toll, so that people who have manufactories outside and bring goods into the ancient city have to pay.

5678. But there are no tolls for coming within the new boundary?—No.

5679. Then a toll is interposed in the way of all the business that is done between the outside new town and the inside old town?—Yes.

5680. Does not that create friction?—Sometimes it has done so to some extent, but the tolls are so very small, although they produce a good deal in the year, and have always been payable, so that people do not object. Sometimes there are questions as to whether persons are liable; that is to say, a tradesman will raise the question whether he is liable to pay the toll where goods have been bought by a private individual, on sending the goods into the streets outside the ancient city.

5681. Are there booths erected for the collection of the tolls?—There is merely a little sentry box at each principal entrance.

5682. Then delay is caused by a cart, having to stop there and pay the toll?—I am informed by the rate collector of the Corporation that there is not much delay. It is not really a market toll. If they did not pay it in that way it would have to be paid in the way of rates.

5683. Is this gates toll applicable to all kinds of goods?—It is payable on grain, butter and cheese, potatoes, onions, fruit, meal, flour, malt, fish, butcher's meat, bacon, pork, hay, straw, earthenware, hardware, guano and artificial manures, and all other goods, wares, and merchandise brought into the city; and on potatoes, grain, and pigs bought in the market and carried out of the city for sale, and on all other goods, wares, and merchandise carried out of the city.

5684. Is it payable on manufactured goods of any kind?—Yes.

5685. And on materials for manufacture?—Yes. If a person buys goods just for his own household use he does not have to pay; but merchandise brought into the city pays the toll.

5686. Are there any factories of any kind outside the bounds of the old city?—Almost all the factories are outside.

5687. If they bring their material for manufacture or any machinery through the gates they must pay toll for it?—Yes.

5688. And on their finished goods, if they are carried into the old city, they pay toll again?—Yes.

5689. (*Sir James Corry.*) I suppose it was in deference to the wish of those who use the markets that the Corporation are now building these new markets?—Yes; the town has long wished to have new markets, and the Corporation have gradually been buying up property in the centre of the town for that purpose, so that, besides the 30,000*l.* which is put down as the cost of building, they have spent a good many thousand pounds in buying property for the purpose.

5690. (*Mr. Little.*) In the return which the Corporation have made, in answer to the queries of the Commission, the receipts from these different kinds of tolls are not distinguished; is it impossible to distinguish them?—I think I distinguished them afterwards. The receipts from auction-mart tolls are 672*l.*; those are the tolls paid by the people who carry on the auction marts. The tolls from the cattle market are 37*l.*, and from the corn market 9*l.* Then the railway companies pay 615*l.* as the amount of their different agreements for compensation. The butcher-market rents amount to 235*l.*; the tolls paid in the butter and egg market amount to 199*l.*; and the stallages for goods sold in the streets come to 200*l.* a year.

5691. But is the through toll, of which you have been speaking, mixed up with the market toll?—Yes.

5692. Do I correctly gather from this statement that agricultural produce coming into the old city of Carlisle pays three tolls if it is taken out again for the purpose of sale: a through toll at the entry of the goods, a market toll, and then a through toll when it is taken out?—If it changes ownership it would pay; that is to say, if it is brought into the market it would pay, but if it is carried right through at once it would only pay once.

5693. If it is brought not to be sold it pays at the entrance to the city; it pays in the market; and then if it is sold and it is taken out of the city for sale again it pays a third toll?—It would, of course, pay the stallage, or, if it is in the butter market, it would pay for using the butter market. Then the purchaser, if he took it out, not for his own household use, would pay a toll. A good deal of the produce does not pay on coming into the market, because it comes by the railways, who have commuted.

5694. Of course, it pays indirectly?—Yes.

5695. The scale of tolls is not fixed by the charter, I suppose?—No.

5696. Is it fixed by subsequent Acts?—No, by immemorial usage, except as regards tolls under the Act of 1878.

5697. I observed that in answer to question 24 it is stated that the present rate of tolls will be inadequate to pay interest on the sum borrowed?—They will not be sufficient on these new markets, I should think. Under the Carlisle Improvement Act we do not levy more than the ancient toll. The occupier of each stand for vegetables in the market, if taken by the year, pays a stallage not exceeding 5*s.* for every superficial square yard, and if taken by the half-year, not exceeding 2*s.* 6*d.* The tolls in the cattle market are for every horse, mare, or gelding, 1*d.*; for every colt, filly, or foal, 2*d.*; for every bull, steer, cow, or heifer, 1*d.*; for every mule or ass, 1*d.*; for every sheep or lamb, ½*d.*; for every swine, hog, or pig, 1*d.* We do not levy to the amount authorized by the Act. Of course, they will have better accommodation in these covered markets, so that they will expect to pay something more.

5698. Then this answer does not mean that they have not the power to levy the additional toll required?—No, the Corporation have the power under the Act of 1873.

5699. You have not given in the return the expenditure on the markets under various heads; is it not possible to give that information?—No, they have never been distinguished; that is to say, the toll collector is paid a salary, and he employs men under him who are paid weekly wages, but the total expense is not apportioned to the different heads.

5700. Then you are not able to say whether there is a surplus revenue from the markets?—Not from the markets as distinguished from the tolls.

5701. Or from other property?—Yes, they are kept separate from the rents of the corporate properties; they are all kept separate in the Corporation accounts.

5702. (*Sir Thomas Martineau.*) I do not see in your return the amount which you receive from the shire toll?—That is very small. The total of all the tolls was 1,465*l.* last year, with the exception of what the railway companies pay, which is 615*l.* Of course what the railway companies pay partly includes in the case of every railway, except the North-eastern, which goes to Newcastle, anything that would be paid for shire toll; and as cattle now nearly always go out of the county by railway, I should think that 30*l.* a year would fully cover anything that is got from the shire toll.

5703. Do you still keep up the collectors at all the principal roads?—Practically the toll seems to have ceased to be collected, except through the machinery of the railways, for there is now so very little to be driven out. The earliest document is the Chancery Fine Roll of 5th Henry III. by which the King issued a writ to the sheriff of Cumberland to deliver seizure of the city of Carlisle, with the mills and fishery in Eden, &c., to the citizens of Carlisle; and it says:—“We have fully learned that in the time in which our citizens of Carlisle had our city of Carlisle to farm for fifty-two pounds by our sheriff of Cumberland, the same citizens were accustomed to have together with the city two mills which are under the city, and a certain fishery which is upon the Eden, and the toll of the county (*theoloneum comitatus*) pertaining to make the farm of the Vill;” and the mills, fishery, and toll are granted to the citizens.

5704. (*Mr. Elton.*) Could you give the reference to the book?—This is a copy of various documents prepared for the litigation between the railway companies and the Corporation, and printed in case an appeal should be laid to the House of Lords. It contains, amongst other documents, the writ of the 5th Henry III., from which I have just quoted; the 20th Edward I., Plea of Quo Warranto against the mayor, &c. of Carlisle, and translation; 9th Edward I., charter to the citizens of Carlisle, and translation; 26th Edward III., charter to the citizens of Carlisle,

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and translation; 1st Edward IV., charter to the citizens of Carlisle, and translation; 21st July 18th Charles I., the governing charter of the city of Carlisle, and translation. Those are the principal documents.

5705. (*Mr. Childers.*) The Commission would like to have a little more information about the nett profit on the markets. You have given the receipts altogether at nearly 2,100*l.*; can you tell us how much is the average expenditure, even if you cannot break it up into small items?—If the other tolls were not collected there would be much the same expense for collecting the market tolls. 292*l.* is the amount paid for the collection.

5706. But that includes, as you state, the collection of all tolls, and not merely of market tolls?—Yes.

5707. Of that how much for repairs and for removal of refuse, and for any other purposes, may be said to be the aggregate expenditure on account of the markets?—The removal of refuse would all be in addition, because that is carried on by the Corporation scavengers, of whom there are a number, and they clean the markets up at night after the market is over.

5708. If you cannot give us the exact figures, can you make any estimate of how much the market practically costs?—The scavenging is now done under the urban sanitary authority powers, and there is paid for the scavenging of the whole city 1,571*l.* 17*s.* 6*d.* I should think that practically one third of that might be treated as being connected with the markets, because they are held in all the streets as well as in the market place.

5709. You have told us that the receipts under your market rights are nearly 2,100*l.* a year; what would you estimate as being the total charge against that?—That sum includes the whole of the tolls.

5710. The city of Carlisle gets an income of 2,100*l.* from its market rights; what does it cost to collect that income?—The market rights really and strictly would only produce about 500*l.* a year.

5711. You have given us, in your return, the receipt from the markets as 2,080*l.* a year; could you give us *per contra* the expenditure in connexion with the same things?—I do not know whether it could be done without going into the accounts.

5712. In respect of the existing markets, irrespective of this new building which is to be erected, you are receiving 2,080*l.* a year; what does it cost to collect that money? Surely the Corporation must know what is the expenditure in respect of it?—292*l.* is what is paid for the wages of the toll collectors, but this includes the cost of the collection of the other Corporation tolls which are not market tolls, the cost not being apportioned.

5713. Can you not, in a sentence, say "I estimate the expenditure in connexion with the market rights at so much a year"?—I think that the scavenging would come to 500*l.* a year, and the proportion of the costs of collection due to markets would be certainly half, which would be about 150*l.* From 600*l.* to 700*l.* would be the expenditure in connexion with the markets.

5714. Are we to take it, then, that the income in connexion with the market rights of Carlisle is 2,080*l.* a year, and that the expenditure is between 600*l.* and 700*l.*?—The income in connexion with the market rights of Carlisle would not be more than 700*l.* a year. The others are tolls that are not market tolls at all. The expense of managing the markets in the streets would be almost equal to what is received in tolls in respect of markets.

5715. Then your answer in the return which you have sent to the Commission is quite inexplicable if that is the case, because you give here the receipts from tolls and stallages?—Those are not market tolls. It goes on, "Receipts from tolls and stallages, 1,465*l.*; from railway companies, 615*l.*; total, 2,080*l.*; but this includes all the city tolls as well as market tolls."

5716. Then "a" gives the market tolls?—Yes, the receipts from the auction-mart tolls, and from the

cattle market, and from the corn market; then the butter market 199*l.*, and the pork market 71*l.*, that is 205*l.* In the butcher market there are simply rents for the shops, in fact. But taking the 199*l.* for the butter and egg market, 40*l.* for the cattle and corn markets, and 200*l.* for the stallages, that would only make about 450*l.*

5717. But all this is income in respect of your market rights, is it not?—No, a great part is in respect of tolls which are not connected with markets at all.

5718. The question which was asked you is this "What has been the average amount of the gross receipts from the markets during the three years ending the 25th of March 1887, specifying the details," and so forth. If these are not gross receipts from the markets, your return must be amended?—This includes all the city tolls as well as the market tolls. Then I put in afterwards in the margin the items for the cattle market, the corn market, the butter and egg market, and the pork market. The butcher-market toll is not really a market toll, but consists of rents for shops or tolls.

5719. Then the return which you have given us is not an accurate return. The question which we asked you was, "What were the gross receipts from the market." If these are not the gross receipts, we must ask you to put in another return, because this tells us nothing?—Perhaps I could send up some detail as to what are receipts in respect of the markets, and the apportioned expenses in respect of them.

5720. In other words, if you had no charter, and no market rights whatever, would you be receiving any part of that 2,000*l.* a year?—Yes, as owners of tolls which are unconnected with markets.

5721. But those are under your charters?—Yes, they are under charters or payable by prescription.

5722. If you had no charters, you would be receiving no part of this 2,080*l.* a year?—No.

5723. Under your charters you receive 2,080*l.* a year?—Yes.

5724. How much does receiving that under your charters cost you *per contra* in expenditure?—I can hardly go into that.

5725. I am bound to say that yours is the only corporation that has not given us that information?—I will endeavour to apportion the tolls into what are tolls proper and what are market tolls, and then to give the expenses in connexion with the market.

5726. You have given us the total of 2,080*l.* which you receive under your chartered rights; it is not material to break it up into little sums, but we want to know what is the net profit derived by the city of Carlisle from their chartered rights?—The cost of everything connected with it would be 700*l.*, as near as can be, and the rest is profit from the tolls.

5727. Then the profit from the tolls is about 1,400*l.* a year?—Yes.

5728. You are going to borrow 30,000*l.*; when you have borrowed that amount and put up your market, will that add to your receipts?—No, it will diminish the profits from the market.

5729. It will add to your gross receipts, will it not?—It will add to our gross receipts if the Corporation under the powers of their Act of Parliament increase the market tolls.

5730. And I think you have intimated that you will increase the market tolls in spite of the profit which you derive from the present tolls?—Yes, because the present tolls not market tolls are as much part of the property of the Corporation as the rents of the lands which they have; and at one time they had very little other property.

5731. You treat your profit from tolls as the property of the Corporation?—Yes.

5732. If the Corporation, therefore, add to the capital expenditure on the markets, they will expect to make more profit out of the tolls?—They will expect to charge more; but even that will not remunerate them for the increased amount expended on the buildings, including the repayment of the money borrowed.

5733. Although you will have spent 30,000*l.* in improving the market accommodation, yet you do not expect to get back the interest and sinking fund of that 30,000*l.* as additional profit?—No; what is called the consideration for the through tolls of the Corporation of Carlisle in any litigation that has taken place has been stated to be the maintenance of the public streets through the city, there being no road rates, and the maintenance of the river walls, and formerly of the walls of the city, and the maintenance of the city as a frontier fortress against the Scotch, and various other things.

5734. Those are admirable archaic reasons, but the sum total comes to be this: that you consider that you are fairly entitled under the charter to make a profit in reduction of the city rate?—Yes, it is a valuable property, and if we did not do that it would have to be got in the shape of rates; that would be the only difference.

5735. With regard to the arrangement with the railway companies, was it assumed that all the railways which pass through Carlisle had to pay to you toll in respect of the goods which they carried through Carlisle?—Yes, if they passed through the ancient city.

5736. Does any part of the lines belonging to any of the railway companies run outside the old city altogether and avoid the old city?—They can now send goods outside the ancient city. All the different goods stations were outside the ancient city. But the question upon which the litigation principally turned was whether, there being a clause in the Act of 1846, by which the commutation took place between the original Lancaster and Carlisle Railway Company and the Corporation, in carting goods into the ancient city, or out of the ancient city into the goods stations, the other railway companies were entitled to come in under the same commutation; and it was ultimately decided by the House of Lords that they were not, and that for all goods which they carted to and from the goods stations outside the ancient city into the ancient city, or *vice versa*, they were bound to pay these ancient through tolls. Then when the House of Lords had settled that on appeal, the railway company and the corporation, in order to save the trouble of collecting the toll every time a cart came through, came to an arrangement to fix an annual sum.

The witness withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

TWENTY-THIRD DAY.

Friday, 11th May 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. LORD BALFOUR OF BURLEIGH.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORBY, BART., M.P.
SIR THOMAS MARTINEAU.

MR. CHARLES I. ELTON, Q.C., M.P.

MR. JOHN J. HARWOOD.

MR. WILLIAM C. LITTLE.

MR. PIERCE MAHONY, M.P.

MR. HENRY A. P. ROOKE, *Secretary*.

MR. AUBREY HENRY MALIM examined.

5745. (*Chairman*.) You are town clerk of Grantham?—I am.

5746. Can you tell us the origin of the market at Grantham?—By a charter of King Richard III. was granted and confirmed to the alderman and burgesses of the borough of Grantham one market, there to be holden every week for ever on every Wednesday, so

5737. Then the annual sum at which the tolls have been commuted is in respect both of goods passing through Carlisle to and from Scotland, and in respect of goods brought into the station at Carlisle and delivered in the town?—Yes; every possible thing on which a railway company might be liable to pay toll is commuted.

5738. And I think you said that the number of cattle sent by road is now so small, that you do not find that it is necessary to pay much attention to its coming in or going out by road?—When cattle come into or go out of the ancient city, toll is collected. The shire toll is now so small, that it is sometimes not worth while to employ a person on the roads going out of the county to collect it, because it really is all commuted now by the arrangement with the railway companies. It was only payable for cattle.

5739. But as to goods passing from the ancient city into the environs of the city, and *vice versa*, are collectors put upon the different roads?—Yes.

5740. Is there a barrier?—No; the collector simply stands in a little sentry-box so as to see who are passing.

5741. Is there any physical evidence of its being a toll-house?—No. There are boards put up with the tolls painted on them.

5742. (*Mr. Little*.) These tolls go, you say, to diminish the rates; are the ratepayers who live, or have property, outside the ancient city rated to the same rates as those within the ancient city?—Yes, exactly the same.

5743. Then does it not follow that those within the ancient city pay a toll for the benefit of those without?—The principal incidence of the rating would be for the maintenance of the streets. That is an expensive thing, and the parties outside the ancient city would now, with the extended boundary, be equally liable with those inside the ancient city to maintain the streets. Under the Public Health Act, 1875, the whole forms one district, and the whole of the public streets are liable to be maintained by the Corporation.

5744. But those are a common charge upon all within the modern city, and partly paid for by the charge which falls upon those within the ancient city?—Yes.

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coming or growing without any account to be rendered or made in respect thereof. That charter was confirmed by a charter of King Charles I., from which the following is an extract:—"And further we have given and do grant and by these presents for us our heirs and successors confirm to the same alderman and burgesses of the same town or borough of Grantham and their successors that they and their successors may have within the town or borough aforesaid, one market to be held there every week for ever on every Wednesday, and yearly for ever two fairs there, that is to say, one fair there on the Feast of Saint Nicholas the Bishop in Winter, and for two days next following; and the other fair there on Monday next after the fifth Lord's day in Lent, and during one day next following together with all liberties, rights, Courts of Pye Powder," &c.

5747. We understand that the Earl of Dysart is lord of the manor of Grantham?—Yes. The Duke of Portland sold the manor to Lord William Manners in 1767, who gave it to John Manners, esquire, who married Lady Louisa Tollemache, daughter of Lionel Earl of Dysart, the predecessor of the present Earl of Dysart.

5748. The market of Newark, a neighbouring town, being held on a Wednesday, was the day for holding the market at Grantham changed from Wednesday to Saturday?—Yes, in order that no damage should be done to the market of Newark; that change was made within the last 130 years, and as a consequence the lord of the manor stepped in and claimed the market.

5749. Was that claim admitted?—That claim was admitted inasmuch as the Duke of Portland, the then lord of the manor, by indenture of lease dated the 29th of September 1755, granted a lease of the tolls and tolls of the markets, and two fairs within the village or borough of Grantham aforesaid, and all and all manner of stalls and standings within the markets and fairs aforesaid, and all and all manner of profits, &c. to the said aldermen and burgesses of Grantham for the term of 21 years at an annual rental of 31*l.* 10*s.* 0*d.* "In the year 1759, I find tolls were taken in the borough of Grantham by the Corporation as lessees of the markets on certain articles such as hemp seed, linseed, coals, wood, lead, wool, and also for sheep, swine, beasts, and horses, but these charges have long since ceased to be collected."

5750. What was done when that lease expired?—When that lease expired the tolls were let by the owner to different people till Michaelmas 1871, when the corporation again became possessed thereof as yearly tenants to Lord Dysart at a yearly rental of 58*l.*, including the premises in which the stalls are kept, and also ground rent for the land upon which the present butter hall now stands. In October 1871, when the corporation became the tenants of the tolls, an offer was made by the Hon. Mr. Tollemache, on behalf of the late Earl Dysart, to let the market tolls to Grantham in perpetuity for the sum of 42*l.* per annum, and also to let the storage premises at a yearly rental of 5*l.*, and also to let a piece of land upon which to erect a market hall for 22*l.* per annum. That offer was accepted by the corporation, but nothing further came of it. I do not know the reason why the matter was not further proceeded with.

5751. Did you obtain an Act of Parliament empowering you to purchase or take on lease from the Earl Dysart all the market rights?—Yes, in the year 1879; the Act gave us power to purchase the market rights by agreement with Lord Dysart.

5752. What steps were taken to acquire the market rights in consequence of the passing of that Act?—No steps were taken till the years 1881, 1882, and 1883. Several interviews took place in those years between the Trustees of the late Earl Dysart and the markets and fairs committee of the corporation. At this time the trustees were willing to let to the corporation on a lease for 99 years the whole of their market rights,

on condition that the corporation would take on lease from them for the same period land for the purpose of erecting a market hall thereon, and expend in such erection a sum of 5,000*l.*, such sum to include the purchase of certain cottage property adjoining the present market hall (part of which property has since been purchased by the trustees). Nothing, however, was done in the matter, the trustees at that time declining to name the amount of rent for which they were willing to lease the same. The matter remained in abeyance till the 29th of September 1885, when the mayor for the time being informed the markets and fairs committee that he had had a conversation with Mr. Tollemache, one of the trustees, who stated that the trustees were willing to lease to the corporation all their market rights, &c. for a period of 99 years at a sum of 150*l.* per annum, and the town clerk was consequently instructed to write to the agent to the trustees and inquire if the terms mentioned were correct, and to state that if so the committee were disposed to recommend the council to sanction the same. No reply was received to this letter, and a similar letter was sent to the agent on the 24th of March 1886, in answer to which it was stated that the trustees were willing to lease their market rights for a period of 99 years for the sum of 200*l.* per annum, conditionally on the corporation expending a sum not less than 2,500*l.* in the erection of a market hall, &c., to the satisfaction of the trustees. The terms named 'being so much in excess of those stated by the mayor, the committee asked the trustees to grant them an interview in order that, if possible, better terms might be arrived at. The trustees, however, stated that the sum fixed was that named by their valuer, and they had not the power to go behind this sum, as he was the valuer appointed by the Court of Chancery.

5753. Did the corporation accept the terms offered?—Not being able to get any better terms they passed a resolution on the 5th of May 1886 accepting the terms proposed, and accordingly instructions were given by the trustees to their solicitor to prepare and submit for approval a draft of an agreement for the proposed lease, which draft was received on the 23rd of March 1887, and approved subject to certain alterations which, however, were never made. Then on the 1st of June 1887 the markets and fairs committee reported to the council the steps which had been taken in furtherance of the proposed lease, and submitted the advisability of waiting the result of the inquiry of the Royal Commission on Market Rights and Tolls, before proceeding further in settling the terms of the agreement, the result being that the matter was practically postponed for the time being.

5754. What was the next step?—On the 22nd of September 1887, a notice to quit and deliver up to the trustees the market tolls, &c., at the end of the then current year, namely the 5th of April 1888, was served on the mayor and town clerk. It was stated by the agent to the trustees, to the deputation from the council who waited upon him, that the object of the trustees in giving the corporation notice to quit was to ascertain without delay whether the corporation really intended to complete the negotiations for a lease of the tolls or to give up the same.

5755. What was the next step?—In consequence of a statement made at a meeting of the markets and fairs committee held on the 10th January 1887, that the Earl Dysart was willing, with the consent of the trustees, to sell the tolls and market rights to the corporation at a valuation, the price to be agreed upon by two valuers, one to be appointed by the trustees and the other by the corporation, and in case of disagreement to be referred to the decision of an arbitrator, and that he was willing to lease the market hall and adjoining property to the corporation for 99 years upon terms to be agreed upon in the same way as the purchase of the tolls, the council on the 16th January 1888, resolved that they were willing and desirous of purchasing the market rights upon these terms. And they also resolved that in case the market rights were purchased, that they would

purchase land for the purpose of constructing a market house and other conveniences for holding a market. Up to this time the council were given to understand that the trustees had no power, and in fact were prohibited, under the will of the late Earl Dysart from selling the tolls outright.

5756. I understand you to mean in making that statement that the corporation would have been prepared to make an offer to purchase the market rights, only they understood that there was no chance of such an offer being accepted?—Just so.

5757. What step did the council then proceed to take?—Copies of these resolutions having been forwarded to the trustees, a letter was received in reply from the agent of Earl Dysart, and the council on the 17th March 1888, were recommended by the markets and fairs committee to accept the terms mentioned therein as the basis of an agreement. The matter was, however, adjourned until the following meeting of the council on the 4th of April 1888, when it was proposed and seconded that the tolls be purchased upon the terms mentioned. On the proposition being put to the meeting seven members voted in favour thereof and eight against, and it was therefore declared lost. By the standing orders of the council the matter cannot again be brought forward until the expiration of six months.

5758. Then the matter stands in this way at present, that an offer of sale was made by the trustees of Lord Dysart, that seven members of the corporation out of 15 were in favour of accepting it, the resolution that the tolls should be purchased on the terms mentioned being lost by a majority of one?—Just so.

5759. It comes to this, that the trustees were willing to sell absolutely their market rights, but not to sell land for the purpose of constructing a market house?—Yes.

5760. But they were willing to lease for 99 years land and buildings for the purpose?—Just so, but only on certain conditions.

5761. Have any further steps been taken by the trustees in negotiating with the council?—No further steps have been taken by the trustees in negotiating with the council; but seven members of the council who were in the minority have entered into an agreement to take the tolls on a yearly tenancy for the sum of 200*l.* per annum, the trustees undertaking to erect a market house at their own expense, the tenants to pay 4 per cent. upon the outlay.

5762. That arrangement has been entered into by the seven members composing the minority in their private and individual capacity?—Just so.

5763. They have no power of course to bind the council?—Not at all.

5764. And there the matter stands at present?—There the matter stands at present.

5765. Have the market rights of Lord Dysart's trustees been in any way defined by them?—Not at all; all they say is, we have power to take tolls throughout the borough of Grantham.

5766. They do not say upon what?—No.

5767. Do they state what the amount of the tolls is which they are authorised to take?—No, they do not; in fact, I may say, I do not think they take tolls at all.

5768. You said that in 1759 certain tolls were taken by the corporation which are not now taken?—Yes.

5769. Is there any record when the last toll was taken?—I cannot find any after the year 1759.

5770. Is it the fact that within the last 20 years the corporation have erected a building upon land belonging to Earl Dysart in which butter and eggs are sold?—Yes.

5771. There is a toll charged, as I understand, upon admission to that building?—Yes, on articles admitted into the place.

5772. That, I apprehend, is not so much in the nature of a toll, properly speaking, as of a rent?—It is a toll.

5773. It is a payment for the right of using the building, is not it?—A toll may be for admission into

a place; it is not a charge made on every one or on every article, it is on so many baskets, and so forth, sold; it is in the nature of a toll.

5774. The charge does not rest upon any alleged right in the owners of the market to take toll, but is made for the use of the building?—I should say that would be so.

5775. What are the charges made in the market?—Stallage and rent of ground are the only charges made in the market; no tolls are taken at all.

5776. Is there any charge made for beasts offered for sale in the cattle market?—No, none at all.

5777. Where is the cattle market held?—The cattle market is held in the public streets. Adjoining the market place is a street called Westgate, in the broad part of which the beasts and sheep are sold.

5778. Has the public market for the sale of cattle and sheep been interfered with by competition, by the establishment of a private market?—Yes, a private market has been established for the sale by auction of beasts and sheep; practically this has done away with the market in the streets with the exception of fair time.

5779. I presume doing away with the cattle market in the street is a convenience to the inhabitants?—Personally I should say it is a great improvement. At the same time, when it was proposed to move it once before to a field the whole of the people in the street were up in arms against the removal of it as being detrimental to the trade.

5780. If I rightly understand the statement you have laid before us the annual rent of the tolls is raised nearly fourfold?—Yes.

5781. From 58*l.* to 211*l.*?—Yes.

5782. The effect of that, I presume, would be to compel the new company to raise the rates and charges for stallage?—Just so. Since the company have taken possession (last Saturday was their first day) they have already gone beyond the public market place and put stalls in Westgate, for which they have made a charge.

5783. These seven gentlemen by coming to this agreement with the trustees have shown that in their opinion the tolls are worth 200*l.* to Lord Dysart?—They have done so.

5784. They have undertaken to pay that sum?—They have undertaken to pay that sum.

5785. And it must, therefore, now be assumed that that is the market value of the tolls?—Yes, I suppose so; but I think they will suffer a loss. The only way for them to get a return of that 200*l.* would be to raise the charge for the stallage, or, as they are doing now, to extend the market.

5786. We may assume that in the event of a purchase either by agreement or by compulsion, the fact of the rent having been so raised would influence the arbitrators in fixing the purchase price?—Yes. They raise the rent from 58*l.*, which was the rent they agreed to take in 1871, to 200*l.*

5787. Is there any such increase in the business done as to justify that rise in the amount of the rent demanded by the trustees?—The gross income from the tolls, I think, is about 300*l.*, that would be for stallage; therefore if they pay 200*l.* for rent it only leaves them 100*l.* with which to pay the expenses of working the market and so forth, and then they would have to pay an increased rate on the rental. We are only rated now at 58*l.*; they would naturally be rated upon 200*l.*, and therefore to pay them they must raise the charge for stallage.

5788. Up to this time have there been any complaints as to the market regulations operating in restriction of trade?—No, none at all.

5789. Is the accommodation of the market considered sufficient?—No, not quite, because the market lately has been overflowing for the sale of consumable articles, and those gentlemen, on the authority of the case of the Attorney-General *v.* Horner tried a short time ago, are making charges for stalls outside the market proper.

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5790. I presume we may infer that the authorities you represent are in favour of obtaining compulsory power to purchase these market rights?—Decidedly; they would not have entered into that agreement in the first place only they were the only terms they could get.

5791. Has there been any attempt to define the market rights, to ascertain what they are or how far they extend?—Yes; in September 1885 I wrote a letter to the agent to the Earl Dysart to the following effect:—"Dear Sir,—The committee appointed by the town council of Grantham to inquire into the question of markets and tolls understand from the mayor that the trustees of the Right Honourable the Earl of Dysart, the lords for the time being of the manor of Grantham are willing to lease to the corporation all the market rights, and rights to levy, collect, and receive tolls, dues, duties, rents, stallage, pickage, and poundage within the borough, as also certain land and buildings thereon as shown on the plan forwarded to you on the 10th day of August last, and coloured red thereon, for a period of 99 years, at the sum of 150*l.* per annum. Before further considering the question the committee would be glad to be informed if the terms mentioned above are correct? Assuming they are, the committee are disposed to recommend the council to sanction the same. The committee would be glad to be informed to what area the trustees' right extends in the borough to take stallages, rents, and tolls in respect of the use by any person of the market." No reply was received to that letter, and I wrote again after some time to the agent, setting forth the same terms, and then the letter goes on: "Assuming they are" (that is to say, assuming the trustees are willing to lease to the corporation the market rights and so on on those terms) "the committee are disposed to recommend the council to sanction the same. An early reply will oblige, as the market hall is in a very dilapidated condition and requires something doing to it at once to render it fit for use. The committee will be glad to be informed to what area the trustees' right extends in the borough to take stallages, rents, and tolls in respect of the use by any person of the market." In answer to that the agent wrote, "I have shown to the trustees of the late Earl of Dysart your letter to me of March 26th, 1886, and they would be willing to lease to the corporation of the borough of Grantham, for a period of 99 years, their market rights as specified in the first paragraph of your said letter, for the sum of 200*l.* per year. The above offer is on the condition that the corporation expend a sum of not less than 2,500*l.* in the erection of a market hall, &c. to the satisfaction of the trustees. Of course plans will have to be submitted to the said trustees. The trustees believe that their right to take stallage, &c. extends to the whole borough." That is the only answer we got from them. At an interview with the agent of the Honourable F. J. Tollemache that question was asked again, but they simply said that they had a right to take stallage throughout the borough.

5792. Then, in fact, you have not been able to ascertain the extent of the rights you propose to buy?—No. We know how far the original market extended, and we know they have power to charge stallage. There are no tolls in the borough of Grantham.

5793. (*Mr. Childers.*) What is the date of the incorporation of Grantham as a borough?—I find the following statement in Street's Grantham: "Grantham was first made a corporate town by charter of the second year of Edward IV., 1463. This charter constituted Grantham a free borough." I venture to call the attention of the commission to the following extract from the charter of Edward the Fourth: "We have granted also, and by these presents do grant for us and our heirs, that the said now alderman and burgesses, and their heirs and successors, that they and every of them shall be free of toll, pannage,

"and pontage, carriage, murage, passage, pagage, lastage, stallage, tallage, barbicage, terrage, scot and lot, hidage and scutage, in all cities, boroughs, towns or hamlets, lordships and other places, as well by land as by water throughout our whole kingdom of England and principality." Therefore that seems to free the burgesses of the borough of Grantham from either stallage or tolls. How that has come to be of no effect I cannot find out.

5794. (*Sir Thomas Martineau.*) Your corporation have been the annual tenants of the tolls from the year 1871 till this spring?—Yes.

5795. And I gather that during the greater part, if not the whole of that time, they have been anxious to be the owners or lessees of the markets?—Yes, because the duties and the powers of the trustees were so ill defined that we wanted to have a proper settlement with them.

5796. I suppose the first point was you wanted an enlarged tenure?—Yes. In order that we might allot the market out properly, and have proper charges; at the present time there is no list of charges stuck up. In most places you will find they have a charge for so much per foot of stall and so forth, but there is nothing of that at all in Grantham, some pay 3*d.*; some 6*d.*; some 1*s.* 6*d.*; some 2*s.*, and some 3*s.* for stalls. We wanted to put that on a proper footing.

5797. Your main object was to remedy faults in the administration of the markets?—Just so.

5798. Which you thought would be rectified if they were in the hands of the body representing the inhabitants?—Yes; and also we thought we should improve the trade of the town by making a proper market, and building a proper hall for the accommodation of buyers and sellers.

5799. Suppose your negotiations which were going on in 1886 and previously, had been satisfactorily carried out, you would have constructed a proper market house, should you?—Yes.

5800. Have there been many complaints in the town about the insufficiency of the provision made for markets?—The people hold them in the streets, if you build a hall I do not think you would get the people to go into that hall, they prefer standing in the open streets to going into a covered hall.

5801. If that is so, how was it that the corporation contemplated erecting a hall?—They were proposing to put up a new hall more for the accommodation of the people in the present tumble down place, that is to say, people selling butter and eggs.

5802. Have there been many complaints as to the management of the markets?—No, none at all have come to my knowledge.

5803. Suppose you had obtained a lease in 1886 on the terms that were then the basis of the negotiation, you would at all events have avoided the difficulty you are in now of this company having agreed to pay a higher rent for the tolls?—We had a change in the council, and the new council wanted to knock the proposal to purchase on the head, because they thought the terms were too high, and they could not see their way clear in carrying out the purchase on the terms proposed.

5804. Did the change in the council take place in consequence of the unpopularity of those negotiations?—No, I think not. These negotiations that were going on with Lord Dysart were kept rather in the dark.

5805. It was not with reference to the markets that the change took place?—No.

5806. (*Mr. Elton.*) I understood you to say that as far as you have studied the history of this place you found that the market was originally all over the whole borough?—Not the market; I said the right to take tolls extended throughout the borough of Grantham. The right of market really would be confined to the market place.

5807. It might or might not; you need not assume that there could not be a market all over a town; however you do not think that was the case here?—I

should say certainly not, though the right to take toll extended no doubt throughout the borough.

5808. I understand that the view that the lord of the manor takes is that the market rights extend over the whole borough?—Yes, he says they extend over the whole borough; I say no. Stallage is an incident of the soil, and the owner of the soil is entitled to it, of common right, therefore where there has been a grant of a market the owner of the soil may charge for stallage without any express grant or statutory authority. Stallages are charged for the occupation of the soil not for articles sold in the market, and no stallage could be charged for the occupation of soil outside the market.

5809. The question in my mind was how far does the market extend?—Stallage may extend to markets only, whereas tolls may be taken throughout the borough.

5810. With regard to stallage the usual rule is that there must be room enough left for people wanting to attend the market who do not want stalls; is this attended to in your borough?—The whole market place is covered with stalls with the exception of a small portion upon which pots are deposited for sale.

5811. Crowded up with stalls?—Yes.

5812. You said something about a payment which you thought was a toll, but do you know whether it is a toll in the sense of being an ancient payment that is distrainable for?—Certainly it is not an ancient payment. The toll that I was referring to is taken at the butter hall which was built by the corporation within 20 years.

5813. Do you know that a market can be changed from place to place within a large area very often?—But that is not the case here.

5814. You say this is a toll. A toll is a thing you can distrain for, as I understand?—And tolls are rateable. A toll can be in the shape of admission into a place.

5815. You mean a toll thorough?—Yes.

5816. You read an extract from a charter in the usual form excepting the burgesses from tolls; are you aware that that is the form used for exempting citi-

zens and burgesses from tolls, not in their own town but in other places when they are travelling in other parts of England?—It says throughout our whole kingdom.

5317. Let us test it by this. They are to be freed from scot and lot. You could hardly suppose it was intended to free them from scot and lot of their own borough, if it was so intended the borough could not go on. Does not that lead one to the conclusion that it was intended by the charter that these favoured burgesses should be free when they travelled to other places, that being a very usual form of exemption?—It says in all cities, boroughs, towns, and so on, throughout the whole kingdom, including, as I should suppose, their own borough.

5818. (*Mr. Harwood.*) You said the lord of the manor may take toll all over the town. Do you know that the lord of the manor is entitled to take toll at all, and to what extent?—I have not seen the grant of the manor, though I have asked to look at it.

5819. How do you know there was any grant of the manor?—I have got it from ancient documents. The corporation accepted a lease of those tolls, and so forth, in 1755 from the then owner, the Duke of Portland.

5820. Have you asked for the grant to show you the authority for taking the tolls and the extent to which they could be taken?—Yes.

5821. Does not it raise suspicion in your mind that there is no such authority?—We certainly have thought so once or twice; at the same time, when the corporation accepted a lease in 1755 from the Duke of Portland, that is pretty good presumptive evidence that the lord of the manor had the power.

5822. (*Mr. Little.*) Do you know what the charges are at the private stock market?—They do not make any charge there.

5823. Except for selling?—Except for selling.

5824. There are no charges for entrance?—If there had been a charge for entrance that would have been a toll; that private market belongs to Earl Dysart, and he proposed on selling the tolls to reserve that market to himself.

The witness withdrew.

SIR JAMES CORRY here took the Chair.

Mr. JOHN A. TOLON examined.

5825. (*Chairman.*) You come here as representing the Rochdale Hawkers' Association to put before us some grievances which the hawkers of Rochdale are under?—I do.

5826. Are you a hawker yourself?—Yes.

5827. Have you been resident in Rochdale many years?—About 36 years.

5828. Previously to 1887 did the market company issue licenses to hawkers?—They did; in 1875, I believe, they commenced issuing those licenses.

5829. Before that time how was hawking regulated?—Hawking was going on as usual, but they found out that there was so much of it going on that they thought they ought to have a little jurisdiction over the matter, and they commenced issuing what they called licenses first; and whether they thought by the word "license" they were coming under the Inland Revenue or not I do not know, but they changed the word "license" to the word "permit," and from the word "permit" they afterwards changed it to the word "certificate." It is for you to decide whether there is any difference between "license" or "certificate" or "permit."

5830. What did they do prior to 1875?—The hawkers used to hawk as usual, and the market company used to summons them a good deal. I have here a map of Rochdale as it was in 1822 (*handing in the map*). I have also another map showing the extension of the borough (*handing it in*).

5831. Do I rightly understand that prior to 1875 hawking was allowed by the market company?—

They used to summon people for hawking, but there was no license or anything of the sort.

5832. From 1875 to 1887 they issued either licenses or permits or certificates which enabled you and other hawkers to go and hawk?—That is so.

5833. Can you tell the Commission why it was that in 1887 they withdrew that license or certificate or permit?—The only reason I suppose was this, that they thought they were not acting legally in issuing these things. In fact their counsel admitted in the court that they violated the law by issuing these certificates, and so they withdrew them, which was a hardship on the hawkers of Rochdale who had been in the habit of taking these licenses, some of whom had gone to great expense in purchasing horses and carts, those that had the money, and those that had not sufficient money borrowed it, and it saved many of them from going to the parish. Mr. Cattingham, their counsel, admitted to the court at Rochdale that they had violated the law by issuing these licenses; when they found they had done so they withdrew them without a moment's notice to the hawkers.

5834. You say their counsel admitted in court they were acting illegally; was that in a case in which they had prosecuted a hawker for hawking without a license?—Yes, in a case where they had prosecuted a hawker who had been hawking in a place which he supposed to be beyond the limits of the jurisdiction of the market company according to the map. They claimed to have the right of market over the whole town and parish of Rochdale; whereas, as we say, they only had

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it according to the borough as shown in the old map I have put before you. By the sanction of the magistrates our chief constable has made out a return of all those poor people who were prosecuted, which I will hand in (*handing it in.*) The magistrates recommended after they withdrew the certificates that we should come to some arrangement with the market company; we did all in our power to do so according to the magistrates' recommendation, but on no consideration would they come to any conclusion to issue any further permits or licenses.

5835. Is hawking prohibited now in Rochdale?—It is.

5836. Absolutely prohibited?—Absolutely prohibited, but still we are going on; there is a good deal of it going on just the same, but we formed an association and drew up a code of rules partly according to the recommendations of the magistrates, under which the members of the association are required to keep a certain distance away from the market.

5837. Are you, under the present system, prevented from carrying on your business in the way you were doing prior to 1887?—Yes, and all the other hawkers besides.

5838. What you wish us to understand, I presume, is this, that the market company claim now that they have control over the extended borough of Rochdale?—They do claim that.

5839. And you and the other hawkers dispute that?—We do.

5840. It is a private company that has the control of the markets and not the corporation?—That is so. The members of the town council are in favour of our going through the borough and supplying them with provisions as well as anybody else, because it is a great convenience. Suppose you lived outside London, away from Billingsgate or Covent Garden, it would be a great convenience for you to have this stuff brought to your doors, you would get it as cheap as in the market and save yourself trouble.

5841. Your case is that the inhabitants of Rochdale are not so well served now as they were previously to 1887?—They are not.

5842. Are you aware whether any complaints have been made to the Rochdale Markets Company on that subject?—I am not.

5843. You say that hawking still goes on notwithstanding these licenses have been withdrawn?—It is going on.

5844. Have you been summoned by the market company?—Yes, you will find my name in that paper that I have handed in. The matter being brought up so frequently before the magistrates, they came to the conclusion that in place of fining the hawkers 5s. or 10s. with costs, they would fine them only 1s. without costs.

5845. A large number of those summonses were prior to 1887?—Yes.

5846. So that these summonses have not originated since 1887?—No, many of them were before 1887. Some of these men that were prosecuted were without arms, and some of them without legs, and some of them very old, they were people quite unfit to get their living at ordinary work.

5847. Can you tell the Commission whether the owners of shops in Rochdale have complained of your hawking things in the streets?—I believe they did complain about it some time ago, but I have not heard of that lately.

5848. (*Sir Thomas Martineau.*) I understand you to say you have an association of hawkers?—Yes, we have formed an association within the last 12 months only.

5849. Do you hold office in the association?—I do not. I am a member of the association.

5850. Do you come here at the request of the committee of that association?—Yes.

5851. How many hawkers are there in the association?—36 would be the outside.

5852. There are a great many more hawkers outside the association than there are in it?—Yes.

5853. Do you think the members of your association have the same interests and the same wishes as those outside the association?—They have; they derive the same benefits by the proceedings which we have taken as we do.

5854. You come before us representing the Rochdale Hawkers' Association, and I want to know how far you represent the general body of hawkers; do the hawkers who belong to your association stand in any different position to the hawkers outside the association?—Not at all.

5855. Do most of you reside inside Rochdale or outside?—All inside the borough.

5856. Is it not the fact that you provide yourselves with the provisions which you sell in Rochdale at the Manchester Market?—I do myself, and a good many of them do, because the provisions are not brought into Rochdale that would be quite suitable, for, I might say, you gentlemen. What you might call the most respectable of the hawkers go to the Manchester Market, where they can get a good choice of what they want.

5857. All the better class goods sold in Rochdale by hawkers come from the Manchester Market, and not from the Rochdale Market?—Yes, that is so. In Rochdale they would not get the fresh fish or fresh vegetables that come in in the morning; they would have to have what came in yesterday or go without.

5858. Is not it also the fact that the stallkeepers in Rochdale Market are supplied from the Manchester Market?—It is.

5859. So that there is a common source of supply for the hawkers in the streets and the stallkeepers in the market?—That is so.

5860. The fines have been reduced, you say, till they have come down to a shilling without costs?—So many cases were brought before the magistrates that they became thoroughly disgusted with the thing, and they recommended us to see if we could make any arrangements with the market company so that we might make our livings as before. There have been several deputations appointed to wait upon the company, but they say they will not issue any more certificates on any account. Since the magistrates have given over fining these people more than a shilling without costs, and knowing this Commission was sitting, they have not prosecuted any during the last few months.

5861. I see there were three convictions in January; do you think there have been any since?—I think there have, but I will not be positive.

5862. But the cases have become fewer and fewer?—They have become fewer and fewer on account of the magistrates only fining them a shilling without costs.

5863. As the fine has gone down, have you not found that the number of hawkers has increased?—I do not know that we have.

5864. I understand that you are a hawker yourself at the present time?—Yes, I always was a hawker, and I am still.

5865. You hawk without any permit or license?—At present.

5866. You say your name appears in this list as one of the hawkers who have been summoned?—Yes. My fine, with the costs, amounts to 1*l.* 13*s.* 6*d.* I believe mine is the heaviest amount.

5867. Were you summoned more than once?—Only once.

5868. And you go on hawking now and they do not summon you now?—No, they do not summon me now.

5869. Is not it the fact that there are hawkers all over Rochdale at the present time?—Yes, but they are hawkers outside our association altogether; a good many of these hawkers are really tenants of the markets' company, and they come out hawking on a Sunday morning with carts and baskets.

5870. You say a good many of these hawkers are tenants of the markets' company?—Five of them are.

5871. And they are not summoned, of course?—No, they never have been summoned.

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5872. You have in your association over 30 hawkers, and you say you have a rule that they are to keep a certain distance away from the market?—Yes, the better side of a quarter of a mile from the market.

5873. You made that rule so as not to interfere with the market?—Yes, certain streets are mentioned which are in the immediate vicinity of the market in which hawking is not to be carried on.

5874. Does the part of the town in which you are allowed to hawk under your rules correspond with the part of the town in which you were allowed to hawk under the old certificate?—Yes, that is so; we have taken our boundary from that which was laid down by the markets' company when they granted their certificates.

5875. Do you think that the members of your association abide by the rules of the association with regard to the limits within which hawking is not to be carried on?—Everyone in the association abides by those rules; if we find one violating those rules we excommunicate him from our association.

5876. Therefore, I suppose, no hawker belonging to your association exercises his calling anywhere in the neighbourhood of the markets?—That is so.

5877. If they are found selling beyond those limits do they ever get summoned by the markets' company?—They have not been summoned since we commenced on this system.

5878. How long is that ago?—Within the last seven or eight months.

5879. (*Mr. Little.*) Though you have not been summoned lately you feel you are liable to a summons?—Yes.

5880. And you are not carrying on your trade as comfortably and as pleasantly as you would under a permit?—Certainly not.

5881. I presume the members of your association would be quite prepared to pay something to the markets company for a permit, if it could be granted?—We have made that application on several occasions.

5882. But the markets' company consider that they have not legal power to grant it?—I suppose they consider that they have not the legal power to do so.

5883. If they had the power you would not object to paying something for a license?—Not the least; we should be quite willing to do so.

5884. Have you an Inland Revenue license?—No.

5885. You do not pay the Inland Revenue for a hawker's license?—No.

5886. How is that?—Whether fish and greengrocery come within the jurisdiction of the Inland Revenue, I do not know. My principal business is in fish.

5887. And you are of opinion that though there is still a good deal of hawking the people who are resident at some distance from the market are put to inconvenience by the restrictions on hawking?—They are.

5888. Shops do not spring up to supply what the hawkers would supply?—No, they do not; there are shops, certainly, but they are not sufficient to meet the convenience of the persons outside.

5889. (*Mr. Mahony.*) I notice that the magistrates have inflicted much higher fines in some cases than in others?—Yes.

5890. Can you give any reason for that?—I do not like to say anything on the matter; but there are some persons who have said that some magistrates on the bench have had some interest in the markets' company; but I do not know anything about that.

5891. Was there any difference in the offence committed?—Not the least. If I was to tell you the case I had to pay my 1*l.* 13*s.* 6*d.* for, you would be surprised.

5892. When were you summoned?—22nd June 1885.

5893. What were you summoned for?—I was a full mile away from the market at the time. For my part, speaking for myself, I did not at this time really believe that the markets' company had the power which they claimed, that is to say, over the whole borough, as extended; and in fact I came to the con-

clusion that they were not entitled to the rights they claimed over that extended area; and I contended that they had only power to prevent hawking within the old borough. They had a man for the purpose of looking up these cases of hawking, and they summoned me for selling three pounds of cod fish in a street called Fenton Street, a good mile away from the market. I disputed the thing, and I said I did not sell a bit of fish in Fenton Street that day. The case was adjourned from Wednesday till Friday, and then they brought the person up who they said I had sold three pounds of cod to for a shilling, who gave distinct evidence that she had not bought any cod fish of me that day, but that she had bought some fresh herrings of me, and then they fined me 2*l.* and costs. I did not like to dispute the lady, but I did not think I sold her any fresh herrings on that occasion. I did not dispute the thing when the lady said I had sold her some fresh herrings, the lady being a customer of mine, because I might lose something by it afterwards.

5894. You had a permit at that time, which enabled you to sell in parts of the town at a certain distance from the market?—No.

5895. And you were accused of selling on this day within a part of the town in which you were not supposed to sell?—That is so.

5896. According to the rules of your association there are certain portions of the town that you do not sell in?—That is so.

5897. You were fined for selling in a certain street?—Yes.

5898. Is that street one of the streets in which you are precluded from selling now by the rules of your association?—Yes. It is one of the streets that we cannot sell in according to our rules.

5899. I see in this list of persons who have been summoned a number of cases put down as settled. What does that mean?—That means that after being summoned they did not like to come before the magistrates, and so they went and settled the affair with Mr. Collier or some of the market officials.

5900. Do you know anything about the case of William Carter, summoned in February 1887?—Yes. This William Carter is really a poor man; he is not fit to work in any sense of the word, as a labourer or anything else; he is short and stout, and is not fit to do any work except light work, like hawking; he has a bit of a cart that he shoves before him. He was summoned and fined, and being a poor man he had nothing wherewith to pay the fine, and he had to go to prison. He went to prison, and came out again. Then he was summoned again, and had to go to prison again, and he was told distinctly that if he committed the same offence again the penalty would be doubled. The poor man was really frightened, and he made an application to the guardians to be admitted into the workhouse.

5901. I see a man called Frank Brierly was summoned on the 18th of November, and was then summoned again on the 30th of January. Do you know anything about him?—I know Brierly. A more respectable man, in every sense of the word, I do not think you would come across. He is a Sunday school teacher, and he never objected to take a permit.

5902. Do you know what Brierly was summoned for last November?—For hawking in a part of the town in which the market company claim market rights, I suppose. They claim rights extending over the parish of Rochdale, according to their Act of Parliament, I think.

5903. You do not remember definitely anything about Frank Brierly's case in November last?—I know he has been summoned, but he never came any nearer to the market than three-quarters of a mile.

5904. I see Samuel Woolferden, James Pendleton, and Frank Brierly were summoned on the 18th of November, and fined 1*s.* without costs?—Yes.

5905. Apparently they repeated their offence, for they were summoned on the 30th of January 1888, and again fined 1*s.* without costs?—Yes; they were

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outside the limits we have laid down by the rules of our association.

5906. (*Chairman.*) Is there anything else that you would wish to mention?—Under the Act of 1822 the market company were bound to find accommodation for the sale of vegetables and other things. I remember our market in Rochdale being beautifully supplied with vegetables of all sorts, but they have overstocked the markets with other things, such as tin ware, and so on, that has prevented all this beautiful green-grocery and different things coming into the town. They claim that under their Act meat, butter, milk, and such things as that are to be sold within the market, and any person or persons found disposing of any of these things is liable to be brought before a magistrate. That is according to their Act, I believe. Now, they have never looked after those persons. Then, according to their Act, they should have provided slaughter-houses within the jurisdiction of their new market; that they have not done, I do not know for what reason. They have given all their privileges up with

the exception of one, and that is coming down on poor people like us that have not money to defend ourselves with. We cannot carry on litigation with the company; and we are now in the hands of this Commission to do the utmost for us in this matter. We are quite willing to meet the market company in any reasonable way. We would be very willing to take permits from them to-morrow to allow us to go on with our employment, not to be afraid of being summoned before the magistrates, and our names being brought before the public. For my own part I do not like that, and I do not think any of those in our association like to see their names in the public press. I think I am speaking the minds of the gentlemen that sent me here when I say that we should be very glad indeed if we could really make some arrangement under which we might not be frightened of the market inspector or anybody else coming after us and saying, "We will bring you before the magistrates." We do not like that. We are willing to comply with every reasonable thing that lies in our power.

Adjourned.

No. 32, Abingdon Street, Westminster.

TWENTY-FOURTH DAY.

Thursday, 7th June 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORRY, BART., M.P.
SIR THOMAS MARTINEAU.

MR. CHARLES I. ELTON, Q.C., M.P.
MR. WILLIAM C. LITTLE.
MR. PIERCE MAHONY, M.P.

MR. HENRY A. P. ROOKE, *Secretary.*

Mr. W. O. JARRATT examined.

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5907. (*Chairman.*) We understand that you have come to give evidence on the subject of the Driffield Cattle Market?—I have.

5908. How long has that market been established?—It was established in 1846, about 42 years ago.

5909. Will you state what is your connexion with it?—I am the owner of it as the devisee under the will of my late father.

5910. It was founded by him, as we understand?—It was.

5911. We understand that there was no Act of Parliament or charter for the market, but that it was purely a private adventure?—It was a purely private adventure.

5912. You have had some discussions with the lord of the manor as to alleged infringements of his rights, have you not?—Yes. Perhaps it requires a little explanation. I have the official documents here. I may state, in the first instance, that I do not suppose that my father, when he established this market, had an idea that the lord of the manor had any rights of any kind.

5913. He did not consider himself to be encroaching upon anybody's rights?—I do not suppose that he had the slightest idea of anything of the kind. But however this was a historical fact, that in 1807, and in 1833, previous attempts had been made to establish a cattle market at Driffield. Now both those attempts were made, I believe, partly by the lord of the manor, in conjunction with the town. I have no historical record of what was proposed to be done as to the

market in 1807, but I happen to have secured the original documents of 1833, and the letters of the lord of the manor in connexion with it. There was a gentleman of the name of Scotchburn, living at Driffield, a solicitor. It was long before my time, but I believe he was considered to be a very intelligent and enterprising man, and he did a good deal, I think, to promote the interests of the town, and he used to take the initiative in matters of this kind in conjunction with some of the inhabitants. He appears to have called a meeting in 1833 for the purpose of trying once more to establish a cattle market. It appears that the first thing he did was to call some of the leading inhabitants of the town together, and they met at a hotel, and through him they made representations to the lord of the manor. I think, perhaps, I had better state that a little in detail. There is a small piece of ground, called Cross Hill, almost adjoining the small market place, in the centre of the town. It appears to have been considered desirable to establish a cattle market there. Then they entered into a correspondence with the lord of the manor. The basis of that correspondence seems to have been, that if the lord of the manor could be saved all expense in connexion with it, he was quite ready to stand by, I think, and let the town do what they liked in the matter. The proposals were of a very modest kind, because I see that the total subscriptions were under 20*l.* to begin this thing; and in one of his letters the Hon. Mr. Langley, who was then lord of the manor, says: "If I have to contribute more than 5*l.* I shall

"require then to receive all the tolls in connexion with the market." I have here the original letters, and the correspondence which the lord of the manor had with this committee, through Mr. Scotchburn. The lord of the manor appears to have taken a good deal of pains in the matter, because he actually draws out the bill announcing the market, and suggesting how carefully the thing ought to be done, and the understanding that was to be arrived at with reference to the non-interference with the lord's rights. This meeting was held on the 15th of February 1833, at the "Cross Keys Inn," and the notice which I have of it is as follows: "At a meeting of inhabitants of Driffield, called by public advertisement, to take into consideration the expediency of establishing a market for the sale of sheep and cattle, present Thomas Scotchburn and A. Pickering" (and then follows a list of the inhabitants, and amongst others I see there is my great-grandfather, William Otley), "it was unanimously resolved that a sheep and cattle market be established here on Thursday, to commence at 8 o'clock in the morning, and be held on Pinfold Hill." (This is the old name for Cross Hill.) "That Mr. Atkinson, Mr. John Parrett, Mr. Thomas Scotchburn, Mr. Pickering, and others be a committee to consult with the lord of the manor so as to hold the market and to fix the day for holding the first market and making the necessary arrangements for carrying into effect the first resolution." Then on the other side is a list of the subscriptions that they made to carry it out: Mr. Langley 5*l.*, Mr. Pickering 1*l.*, and so on, amounting altogether to something under 20*l.* Then commences this correspondence with the lord of the manor, and he goes somewhat into detail in the matter, and more particularly as to the point by whom the notice was to be given. In consequence of this these market arrangements were carried out, and the market was opened, I believe, in April or in March 1833. It failed after a time the same as the others had failed, and in about the year 1846 my father thought he would take the matter in hand himself. I do not think that he had any idea in connexion with it, except that of promoting the interests of the place. He had previously bought a hotel with a large quantity of land behind it, much more than was necessary for the purposes of the hotel. It was quite in the centre of the town, and I have no doubt he thought it would answer the purpose of a market very well. The first thing that he did was to apply to about 600 of the leading people in the neighbourhood asking their opinions as to the desirability of the thing; and having obtained a good deal of assurance of support, if he would incur the expense, he set to work and he provided this market. It remained then for a period of nine years. There is, as your lordship is no doubt aware, a difficulty in getting a district like this out of its old habit and mode of business; and the consequence was that at that time the whole of the sheep and cattle and every kind of stock went into the distant markets of Leeds and Wakefield. The great difficulty was to get this local market firmly established. After about nine years this was accomplished. I must tell you that Mr. Langley, the lord of the manor, had died, and he was succeeded by the late Lord Downe. I do not suppose that Lord Downe had the slightest knowledge of anything in connexion with the matter, but, however, his solicitor at York then appeared upon the scene. This market was opened in January 1847, and in 1853 Mr. Gray, on behalf of Lord Downe, wrote the following letter:—

"Mr. Seaton, Lord Downe's agent, has had his attention called to the fortnightly fairs held on your property at Driffield, which it appears are injurious to his lordship's interests, and are doubtless an infringement of his exclusive right to hold a market and fair at Driffield, of which you may not be aware. Probably the cause of your instituting this new market-place has been that the accommodation furnished by the lord of the manor is considered inadequate. Lord Downe is ready to provide any further accommodation

which the public may require, and so I have no doubt it will be as satisfactory to yourself as to the other parties interested.

"Yours respectfully,

"WILLIAM GRAY."

I do not appear to have any copy of my father's letters of much importance beyond one which was addressed to Lord Downe. This is the copy of the letter which I have:—

"My Lord,—I am sorry that I should be compelled to trouble you with some details respecting the establishment by your lordship of a new cattle market at this place. I do so because I feel convinced that your lordship is ignorant of the peculiar circumstances under which the present market was established, and of the manner in which it is proposed to supersede it by the establishment of another market upon your lordship's property and under your lordship's management and control. On three several occasions previous to the formation of the present market attempts were made to establish fortnightly cattle markets at Driffield, but they all were unsuccessful. The last effort was made in 1834–35." (That is a mistake; it was in 1833.) "A committee was formed, tolls arranged, and the market was held in a public place called Cross Hill, under the sanction and approval of the late Mr. Langley, the lord of the manor. The market continued to be held for some time, but eventually like those preceding it fell away, and ceased to exist, so that for many years previous to the establishment of the present market there was no cattle market at all. In 1846, thinking that it was very desirable that there should be a cattle market in so important and central a place as Driffield, I determined to venture upon another attempt to establish one entirely at my own risk and on my own responsibility. I need not detail to your lordship the steps that I took for the purpose. Suffice it to say that I built sheds and sheep pens, prepared the stand ground, advertised, wrote hundreds of private circulars, and after considerable trouble and expense succeeded in establishing the market in January 1847, since which time it has continued to rise in importance, and is now likely to become equal, if not superior, to any other market in the riding. In addition to the expenses thus incurred directly in the establishment of the market I laid out a considerable sum of money in rebuilding the public house, in the yard of which the market is held, considerably larger than otherwise I should have done had there been no prospect of increased custom for such a house. Owing to the increasing quantity of stock that for some time past has been brought to this market I found it necessary to make arrangements for affording additional accommodation. For this purpose I have lately entered into a contract for the purchase of some property adjoining the market, some of the buildings upon which I had determined to pull down for its enlargement. I had also got plans prepared for additional new cattle pens as well as for sheep, in order to economise the space and give greater convenience; but having been threatened by another market which is about to be established as a rival to the one already existing upon lands belonging to your lordship, I take the liberty of bringing the whole of the circumstances before you. The establishment of another market in opposition to the one already in existence your lordship must at once perceive will cause a most serious pecuniary loss to myself, not only by reason of the destruction of that which I succeeded in establishing at so great an expense, but also of the injury to the property built partly in contemplation of the business arising from such market. This is not a case, my lord, in which two parties are competing on equal terms for a business connected with a market of this kind. If your lordship should determine upon carrying out the scheme already contemplated, I have no hesitation in admitting, with your lordship's position and influence, what must inevitably result, the new market would be filled, the old one deserted. Had any individual similarly

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circumstanced, either here or in the neighbourhood determined upon establishing in Driffield a market of this kind, in opposition to the one already in existence, I should not have thought of uttering one word of complaint, because I should have felt that there was something like equality both in the position and rights of the parties, and that I must submit to the kind of competition which at the present day exists in almost every occupation or business. But with your lordship, as lord of this manor for a competitor, I know perfectly well that the very day upon which the public market established by you shall be opened the one established by me will cease to exist. Under these circumstances the only alternative I have left is to lay these facts before your lordship, and ask you to take them into serious consideration, and to determine whether some compensation for the loss which I shall sustain shall not be made. I leave the matter entirely in your lordship's hands, and sincerely trust that with a knowledge of the facts detailed above, your lordship will at least mitigate the loss I shall sustain by the establishment of the proposed market."

There is a further letter from Mr. Gray.

5914. I think we had better not go into the details of these transactions which are long past and gone; it is quite enough for us to know what came of it all?—The upshot of the whole business was that when Lord Downe became acquainted with the actual facts he abandoned the old position and left the thing as it was.

5915. Was there not a memorial from the farmers?—There was a memorial signed, the original of which I have here. No other claim was made by my father to resist his lordship's rights beyond the appeal which is made in that letter. The farmers and others in the neighbourhood thought it was a very hard case, and therefore they memorialized his lordship, in the spirit of that letter, simply to take the facts into consideration. The memorial said that about eight years before, my father commenced, at his own risk and expense, the cattle market, which through his exertions had risen and so on. Then that ended, and the market continued till my father died, without any further question of any kind. My father died in 1875. I was exceedingly ill at the time, and I did not like the position, and therefore I wrote a letter to Mr. Gray. I felt that if anything happened to me there was nobody to deal with a thing of this kind, and therefore I wrote to Mr. Gray, to ask whether they would give a formal confirmation by deed of all the facts in connexion with it. It is only fair to them to say that the late Mr. Gray wrote on December the 18th, 1875, this letter:—

"Dear Sir,—I wrote to your father in 1853 on the part of Lord Downe to complain that the private market that he had set up was an infringement of his lordship's rights as owner of the market at Driffield. In subsequent discussions it was explained that your father had at considerable expense provided an important public accommodation which his lordship was not prepared to supply, and under these circumstances he determined to withdraw the objections to your father's proceedings. Lady Downe is of the same mind, and as you have enjoyed it for upwards of twenty years I do not think you need fear being interfered with; but Lady Downe is not prepared to alienate any of her rights in the market."

5916. Then, as I take it, the matter rests in this way, that the question of the legal rights of the lord of the manor, if they existed, was not gone into or discussed, that no decision is taken upon it, but that in practice the lord of the manor has announced that he does not mean to interfere with your market?—Yes, that is substantially the fact.

5917. Has there been any further transaction between you and the lord of the manor on the subject? I presume that statement closed the matter?—That letter completed the matter, and the matter stands upon that basis.

5918. Was there not an attempt made by a local solicitor to establish a market, and did he not

endeavour to obtain a private Bill for the purpose?—That is the worst part of the business. The lord of the manor had some sort of claim, but this was a thing of which I have a very just cause of complaint. The gentleman in question was on the local board. The local board had been established some years before, and therefore if any body had any rights to deal with the markets it would be the local board. But, however, a private Bill was suddenly sprung upon me, "for the purpose of establishing a cattle market at Driffield, in the east riding of the county of York." There was not the slightest recognition of this market. The Bill was withdrawn, but the cost to myself was very serious.

5919. That proposed Bill to establish a market was petitioned against, as we understand, by local butchers and farmers?—Yes.

5920. And it never went into committee?—It never went into committee. It was withdrawn at the last moment when everything was prepared.

5921. Was it withdrawn by arrangement?—Oh, no.

5922. But you thought that you had some cause of complaint in having to pay the costs of opposing it?—Yes, it was a very serious cost to me.

5923. Then the matter stands upon that footing, and there has been no attempt, as we understand, to establish any other market than yours; and you have what is equivalent to an assurance from the lord of the manor that you will not be interfered with?—Yes, so far as he is concerned.

5924. I think you have arrived at some general conclusions which you wish to state to us (and that is the part of the case which most concerns us) as to the prospects of a local private market?—I am chairman of the Driffield Linseed Cake Company, and I am sorry to say that part of the papers with reference to all these details upon which I draw my deductions were burnt in the great conflagration at Driffield in December last, and these papers that I have here are what I had at home. The first thing that I say is this, that a local private market whose tolls are based upon those of large corporations, such as Leeds and York, cannot be made remunerative.

5925. You mean whose tolls are fixed at the same rate as those of large corporations?—Yes. I believe, speaking from my recollection, that my father took, as the basis of these tolls, tolls from different parts of the country, and I think he made a mistake in taking them from these very large centres. He did not want more than anybody else was getting, and therefore he took those very small tolls which they often charge at these very large markets, and he applied the principle of those tolls to Driffield.

5926. I suppose your contention is that in a small market the working expenses are proportionately greater than in a large market?—Very much larger. The consequence was that he forgot this principle in dealing with it; that in these large centres, not only for the reason that your lordship has given, but also from the fact that wherever enormous numbers of people are drawn from a county, say like the county of York, either to Leeds or York, there is an immense advantage to the town itself, and therefore corporations are bound to consider, and they do consider, that they ought to make these tolls as low as possible; and I believe they do so. The consequence is, as I have already stated, that if you apply that principle to these small local markets they would not be at all remunerative, and they never were so during my father's lifetime. My third position is, that where lords of manors have efficiently provided for the public accommodation in these markets there cannot be, taking the basis of large markets, any adequate return for the money invested. It is only fair to show you the difference between the 20% that was supposed to be invested in the original market on Cross Hill in 1833 and all the thousands of pounds that have been invested in the manner shown by this plan. This is a bird's-eye view of the different markets as they exist (*producing a plan*). That part is covered in. This represents about an acre of land

in the very centre of the town. That is the sheep market, and that is the covered pig market which is also used for sheep. These are outbuildings, market houses, and so on (*describing the plan*). The cost is something out of all proportion to what anybody could have had any idea of. I daresay that in my father's time the expenditure was 7,000*l.* or 8,000*l.*; I have laid out something like a couple of thousand at all events on this market in addition. Therefore, under these circumstances, there is a very large outlay of capital. The market extends from Middle Street to Eastgate; there are five entrances to it, and it is in the centre of the town close to the banks and all the other business places, so that it really represents now a large outlay of capital. If Mr. Langley or Lord Downe had laid out a large sum of money like that he would have been very unwise if he had ever accepted such tolls as were charged in connexion with Driffield Market. But the fact is that a matter of even 1*d.* or 2*d.* a head for beasts, or a small charge for sheep where there is a large number, makes all the difference between success and failure from a financial point of view.

5927. As I understand your argument you contend that in a small market the tolls must necessarily be higher than in a large market because the working expenses are proportionately greater?—Yes.

5928. And you also say that in the case of a corporation there is an indirect return through the benefit conferred upon the town, which of course does not apply in the case of a private individual?—That is just the position.

5929. I gather from what you have stated that you consider that if in the case of a small market the lord of the manor, or I presume anybody else, gives sufficient accommodation and charges what would be considered as not too high a toll, it cannot be to him a very profitable concern?—Quite so. The best illustration that I can give is this, that they proposed in the Bill to which I have referred to have a monopoly, and it was to be for the benefit of the community. Now I had all the tolls taken out for that purpose for a period of 20 years, comparing my charges with the charges which would have been paid if the tolls proposed in the Bill had been adopted; and you may take it that as nearly as possible the receipts under the proposed Bill would have been double the actual receipts. If they had got this monopoly and the right to charge their schedule of tolls their receipts would have been double the actual receipts of the market. I do not say that the charges proposed in that Bill were at all unreasonable; I think they were moderate enough; but I merely mention the fact to show that my charges have been absurdly low.

5930. I suppose from what you have said we may take it that in the event of any local authority wishing to take over the cattle market you would be very well content to have back the money which you have expended upon it, because you do not claim any right of monopoly or any right to hold a market, except that which is based upon the fact that you have spent money upon it?—I come back to the question now, which I beg to suggest to your lordship, which is this, that I do not think that any mere speculators ought to be placed in a better position than a local board. The local board, the urban authority, have powers under the 166th section of the Public Health Act, 1875, amongst other things, to provide a market-place, construct a market-house, and other conveniences for the purposes of holding markets and so on, and to take stallages, rents, and tolls in respect of the use by any person of such market. Then comes this important clause: "But no market shall be established in pursuance of this section so as to interfere with any rights powers or privileges enjoyed within the district by any person, without his consent;" that is to say, that if the local board wanted to establish a market in Driffield they must obtain the necessary powers from the parishioners under this Act, and they must establish it with my consent, which indirectly means that it must be done

by compensation for what I have expended. I am liable at any moment to have another speculative Bill lodged against me just the same as I had here, which cost me about two hundred pounds, and which was proceeded with up to a certain point, and then the Bill was withdrawn. I do not suppose that it is likely that the thing will be tried again, but supposing that anything happens to me, my family are in a worse position to defend those rights than I am, so that my property is absolutely at the mercy of any speculators.

5931. But is it different in that respect from any other kind of property; if a man has a park and a company proposes to carry a railway through it, and he resists the attempt, and succeeds in defeating the Bill, he will still have to pay his own expenses?—Yes, but the two positions are not at all analogous. The railway is a necessary public benefit. For the purpose of the market the local authority are the properly constituted authority. But if a London engineer comes down and associates himself with a local solicitor, and they promote a Bill of this kind, if the local board does not see that the interests of the town require that they should take over the market, it cannot be said that a London gentleman could have any independent rights. Therefore, I say that an owner like myself ought to be protected, so far as regards the outside public, and that the outside speculators ought not to be placed in a superior position to that which the local board would be in. I will summarise my suggestions. The first is that the lords of manors, or other persons claiming a monopoly, ought not to have the right to interfere with any other persons establishing a market unless such lords have already established and maintained a market to satisfy all the requirements; that is to say, that if a lord of a manor has a mere abstract right, you may say, he cannot always be complaining and saying that other people are infringing upon his rights, while he will do nothing himself. I do not say that that was the case here, because the lord of the manor had to a certain extent desired to waive his rights in the interest of the place, and therefore there is no complaint to be made upon that head. But the lord of the manor can always take a prohibitory position; he can always say, "I will not do it myself, but you have no right to do it because it is an infringement of my right to do it."

5932. And you contend that the community ought to be empowered to say to him: "Either do what is required yourself or stand aside and let somebody else do it"?—Yes, that is fair. Then I meet my own case here. If any market has been established say for twelve years (that is the statutory right now as to property) it ought to be protected against any claims by lords of manors or other persons claiming a monopoly. This market happened to have been established nine years, but Lord Downe and his agent stand by and nothing at all is done till this market is in complete operation, and a great success, and then he comes and says: "Here is an invasion of my rights." No stronger position was ever taken. We admit that position, and we must leave ourselves at your mercy, and if you make another market we must leave it to your honourable sense and feeling as to whether you will do anything towards compensation for what has been expended. I do not think that is a fair position. That is so far as the lord of the manor is concerned. Then I say that I think the promoters of any private Bill seeking to establish a monopoly ought to be precluded from obtaining a monopoly to the prejudice of any market which has existed for 12 years or upwards. Here this market, after a period of nearly 40 years, is insidiously attacked without a moment's notice; I am put upon my defence, and am liable to have all these difficulties to face without a moment's notice. Whereas a local board, if they had attempted the same thing, would have had to come to me to say, "We must consider your rights in the matter, and we must ask your consent, and see whether we cannot come to an arrangement." I say that any outside speculator is not in that position; and there-

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fore, when he comes to seek a monopoly, I think it is only fair that he should not be placed in a more advantageous position than the local board. Then section 166 of the Public Health Act, 1875, to which I have already alluded, provides for the local board establishing a market, but that no market shall be established in pursuance of that section so as to interfere with any of the rights, powers, or privileges enjoyed within the district by any person, without his consent. If this clause were made applicable to any market for which a monopoly was sought to be established by any private Bill it would prevent injustice being done by company promoters. So far as the legal suggestion that I have to make goes, it seems to me to meet the case that the outside speculative public, the engineers and lawyers, should be put in exactly the same position as local boards. This Bill was neither more nor less than a fraud upon Parliament; it actually ignored the existence even of a market; the preamble did not even say that a market was in existence, but it said that it was desirable to establish a market at this place after all this enormous outlay had been going on for a period of 40 years. If the local board had wanted it they would have come to me, and I should have been very happy to negotiate with them; but I had to fight these promoters here at great personal cost. Therefore, I only say that so far as the legal position is concerned the rights of everybody ought to be secured against merely outside speculators.

5933. Have you any other suggestion to offer?—I have no other suggestion to offer, except this: I think it is only fair to say that the entire method of market business has altered. For many years after this market was established everything was sold by private contract. For the last 20 years the system of selling by auction has been introduced. I believe I was the last person that stuck out until a year or two ago against sales by auction; but I may say that now they universally prevail in Driffield Market as regards fat stock. Hardly a single sale I believe takes place by anybody, including myself, except by public auction, because there is no other mode of dealing with it.

5934. Is there any objection to the method of selling by public auction?—Not at all, but I am only saying that this causes a grievance. I do not want to be guilty of any suppression. Here was all this enormous plant provided for the public; I had some hesitation in raising the tolls as to the public, but I had no hesitation in saying that if Driffield Market was to be made simply an auction mart for the benefit of auctioneers, we must deal with that in another way. A very large number of the farmers objected to these sales by auction, but they acquiesced and stood by till the auctioneers got increased power. Whether it is the best plan, or the worst, has nothing to do with the matter; at all events the original idea of the market was departed from, and at present it is nothing but an auction mart, except as to lean stock, at certain times of the year. In 1881 there was some little difficulty with the auctioneers, and I said, "Very well, now then I shall put some tolls upon the auctioneers." The auctioneers got 4s. 6d. or 5s., I believe, for selling a bullock at that time; and therefore I put, I think, 8d. on as an additional charge, if the beast was sold by auction. I left the auctioneers and the public to settle that matter, and believe the farmers settled it by deducting it from the auctioneers' charges, which they considered were too large. In the same way "luck money," which was a shilling a head on cattle allowed to the butchers on private sales, had been abolished by the introduction of the auctioneer. Finally this matter was also settled by the auctioneer paying the shilling out of his charge, so that the payment of the additional toll of 8d. and the shilling luck money left the allowance to the auctioneer 2s. 10d. instead of 4s. 6d. Therefore, so far as they were concerned, there is some increase of income from that source. But the worst part of the business is this: My market has all the statutory obligations to bear.

Now, two or three years ago a very violent antagonism sprung up against this auctioneering. I believe that prevailed all through the country, and the consequence was that all the farmers' clubs and agricultural associations memorialised Parliament to pass a Bill to make weighing machines compulsory. Before that the Driffield Farmers' Club had passed a resolution asking me to put down a weigh for the weighing of cattle. Of course I knew what that meant perfectly well; that if they weighed the stock it was only a question of arrangement then of so much a stone, and it was a means of dealing with the auctioneers. It was a question how far the auctioneers and the butchers approved of it; otherwise it would become a question of boycotting the market. So I said that, if there should be anything like an agreement upon the subject, I should be very glad indeed to do anything that they required. Unfortunately they did not agree to anything further, and therefore the matter stood there until this statute was passed compelling me to put the weighs down. Instead of putting one down, I thought I would do the thing pretty well, and therefore I spent over 100*l.* in putting down two. They are absolutely useless; they are hardly used at all. As I now have all the statutory obligations with reference to the market I have to provide them, whether they are required or not, which I think is rather a hardship. I just looked at the returns one day when there were 1,200 sheep in the market, and there was not a single sheep weighed, and I do not suppose there would be more than two or three beasts weighed at 1*d.* or 2*d.* a piece. Of course all that is a dead loss. All this adds to my argument, that one should not be left absolutely at the mercy of everybody who proposes to appropriate one's property.

5935. If I understand your view rightly upon that point, you do not object to the local authority having power to come in and take your market, but you think that you ought to be protected against any unauthorised speculators?—Yes, that is the position; or in other words, I simply ask that this Commission should report in the direction that the outside public, whoever they may be, should not have greater powers than the local board have.

5936. Do I rightly understand your objection to be to any outsider coming in and setting up a market in the neighbourhood of yours, or is it only that you object to such outsider endeavouring to obtain a Parliamentary monopoly?—Of course that is rather a delicate question to answer. What I would say is this; I think that if anybody has any rights at all in the direction of a monopoly my investment of 40 years would indicate that I ought to have the preference. I have never asked for any monopoly. A man can lay out 7,000*l.* or 8,000*l.* or 10,000*l.* and make a market if he likes, and I have nothing to say against that position; but I do say this, that I ought to be armed against outside syndicates, either in London or anywhere else, coming suddenly and dropping down upon me. They take up these things as a system; they deal with waterworks and with a variety of other similar matters. They come down upon a sleepy class of people in little towns and villages, and before they are awake the mischief is done. These kind of speculators have made waterworks at Driffield; they never asked the local board and the local board stood by. I opposed that Bill myself, and contended that the local board had a preferential right, but the promoters got the Bill through Parliament. Having got into the place and having got the waterworks the next thing was that they tried me at the market business; whether it was a little retaliation or not I do not know; but at all events I contended for no other position than the priority and preference of the local board.

5937. You do not contend that your priority in itself constitutes a monopoly?—No.

5938. If you had spent the money which you have spent upon this market in setting up a shop that would not have prevented anyone from setting up a rival shop in the same street?—Not at all, and my

position is exactly that now. Anybody can begin a rival market, but it would not be successful, and therefore I know that my market is perfectly safe, because there is not a return to be got from it that could justify such an outlay. But if they can get a Bill giving them such a power, and can begin and make a market clear off-hand without any of the outlay and cost that have been incurred here, then unquestionably if they have a monopoly given to them, and a statutory tariff that enables them to double my charges, it is a very highly profitable affair.

5939. We understand that; but as a matter of fact this attempt to obtain a Bill failed?—Yes.

5940. Are you aware of any case where a similar attempt has succeeded?—My position is rather circumscribed, and I never made the inquiry. I believe they found out the mistake that they had made, and that they had never the slightest chance of getting Parliament to sanction such a thing.

5941. (*Sir Thomas Martineau.*) The evidence which you have given relates, does it not, to the cattle market only?—Yes.

5942. That is for the sale of beasts and sheep?—Yes.

5943. There is also a pig market, is there not?—Yes, that is a part of the same market on the plan which I have shown you.

5944. Is there a joint owner with you of the pig market?—Shortly after this was done there were on the opposite side of the way a few pens put in, but it has really died away.

5945. Then in fact your evidence applies to the pig market as well as to the cattle and sheep market?—Yes.

5946. There is also another market held in the open spaces and streets of the town, is there not, for corn and agricultural, garden, and general produce?—Yes.

5947. The owner of that market is the lady of the manor, is she not?—Yes.

5948. Does she receive tolls?—They are leased to the local board. That perhaps illustrates as well as anything could do the unsatisfactory character of these manorial rights. In places like Driffield they are practically valueless. I think that the tolls are leased to the local board by the lady of the manor for 25*l.* a year for 21 years. I have no doubt that 25*l.* a year was a very fair estimate, and a very satisfactory estimate at the time for the lady of the manor; but in practice I believe it is a mere abstract business, and that the proceeds would be almost entirely swallowed up by the cost of management, and that so far as the lady of the manor was concerned it would be practically of little value.

5949. Anyhow, the right is recognised?—The right is recognised, but what is the effect of it? As soon as the local board get these tolls they extend their powers. I do not think that there is any such power as the lord of the manor contends that he has; it can only apply to the market-place, and not half-way down the street. They extend this principle, and they make it, I should think, worth perhaps 80*l.* or 90*l.* a year. In a very few years the lease will have expired; what will be the consequence to the Driffield Local Board? They have been under this very shadowy right creating a dead charge against themselves, because it may be taken probably at 30 years' purchase at the end of the 21 years on the 80*l.* or 90*l.*, or whatever the present amount may be, so that nothing can be more unsatisfactory as regards the town.

5950. All that sort of evil would be got rid of, would it not, if the market rights were vested permanently in the local board?—Yes, but there is no definition of the rights of a lord of the manor, or of a lady of the manor. I am merely offering a personal opinion, which may be of little or no value but my own impression is, that rights of this kind are more sentimental than otherwise, and that they are adhered to with very considerable pertinacity, not so much by the lords of manors themselves as by the stewards, and those who represent them.

5951. Has this right for a general market in lord of the manor been recognised from time immemorial?—There are four fairs at Little Driffield. There is no doubt, I think, that those are chartered fairs, and that the lady of the manor has the right. Up to the end of the last century Driffield was a very small village indeed. The chartered markets were at Kilham and at North Frodingham, both places being, I think, six miles away; but they were much more important agricultural villages than Driffield. But about 120 years ago there was a canal made from Hull to Driffield. That canal so developed this very small village that it became gradually a very important town, and therefore those other chartered markets absolutely died out. The present market at Driffield is nothing in the world but a market held, I believe, without any license from anybody. I think it was started about 100 years ago, and the lord of the manor gave a sort of consent; what consent he could give I do not know. At all events some tolls were claimed, but both for Little Driffield and Great Driffield I believe the fact is that they are of very little value indeed.

5952. Still if the right was recognised I do not see why your father was surprised when the lord of the manor interfered with him after he had opened his market?—He should not have waited nine years.

5953. Your father, of course, was originally a speculator in this market himself?—Yes, unquestionably; but he was a resident in the place and had property in the place.

5954. You cannot quite draw a line between a speculator who is a property owner in the place and a speculator who comes from the outside, can you?—I do not know that you can; but I should not consider that a man who came out of Great George Street, Westminster, was exactly in the same position as a man who lived in the place, and had lived there all his life.

5955. You stated it as your conclusion that where a great public want has been supplied by private enterprise, the property should not be left without some statutory protection against financial adventurers?—Yes, I have already given my views as to that.

5956. How far would you carry that?—I should carry it no farther than the provisions of section 166 of the Public Health Act.

5957. But take now the town of Driffield; supposing that you had an Act of Parliament passed such as you would like, you would like it practically to give you a monopoly as against any speculator for the sale of cattle and beasts in the whole of the town of Driffield?—If you choose to go to-morrow and lay out 10,000*l.* at Driffield I have no complaint to make, and it is perfectly fair. But if you come to the Houses of Parliament and ask to be allowed to have a monopoly, and to charge, say double the tolls, and draw double the income for yourselves by virtue of that monopoly, I ask the question as to your *bona fides*, and as to your right to interfere with my 40 years' market, and to have a monopoly against me who have none.

5958. You do not want any statutory protection against a man opening a market next door to yours?—No.

5959. Unless he also asks for a monopoly?—No, I do not go beyond that. I say that the position is a question of outside competition; that if a man chose to open a market I have nothing to say to it; but I to say this, that if monopolies are to prevail at all, the historical review of my position certainly gives me a stronger moral claim than anybody else.

5960. (*Mr. Pierce Mahony.*) What accommodation did this company that was started propose to give: did they propose to give as much accommodation as you give?—I daresay they would. I have not the slightest doubt that they would have made a very good market; they would have made a market outside the town. This map shows what they proposed to do.

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5961. Judging by that map the accommodation would have been much smaller than what you give at present, would it not?—No, this is the present market (*describing the map*). It is quite in the centre of the town. Here is the main street. It is built over this beck, to which it falls each way, and there is an acre of land on the east side of the beck. This is the way to the railway station (*describing the plan*). This is the most convenient place that could possibly be found for a market.

5962. Did they propose that they should have the power to fix any tolls they liked?—No, they gave a schedule.

5963. Have those tolls been handed in?—They are on the Bill, and they were as follows:—

“SCHEDULE A.

	£	s.	d.
For every stallion - - -	0	2	0
„ gelding or mare - - -	0	1	0
„ yearling colt foal mule or ass - - -	0	0	6
„ bull - - -	0	0	6
„ ox cow bullock steer heifer or calf - - -	0	0	3
„ sheep or lamb - - -	0	0	1
„ head of swine (except sucking pig) - - -	0	0	2
„ sucking pig - - -	0	0	0½
„ other animal whatever - - -	0	0	6

And the above tolls to be payable for each animal for each day or part of a day in which the same is placed in the market whether for sale or not and whether sold or not.

“SCHEDULE B.

	£	s.	d.
For every bull ox cow or bullock - - -	0	1	0
„ calf - - -	0	0	4
„ sheep or lamb - - -	0	0	2
„ hog or pig - - -	0	0	4
„ other animals - - -	0	1	0

No animal to remain longer than 24 hours without paying an additional toll and so for each 24 hours or part thereof.”

The scale of charges in the present market is as follows:—

	s.	d.
One pen for 4 head of cattle or under - - -	1	4
„ 8 „ „ - - -	2	8
„ 10 „ „ - - -	3	4
„ 12 „ „ - - -	4	0
„ 16 „ „ - - -	5	4
Cow and calf - - -	0	7
One bull - - -	1	0
Other unpenned cattle per head - - -	0	4
Cattle put into the top-yard for the convenience of purchasers after sale - - -	0	1
All above the number allowed in beast pens will be charged - - -	0	4
And in sheep pens at the rate per score of - - -	1	4
Calf pens to contain not more than two, and pig pens to contain not more than six, will be charged per pen - - -	0	8
Sheep pens are charged from - - -	0	8
Each according to size and the number of stock therein.		

5964. Independently of the auctioneers' tolls, have the tolls per head of the beasts charged in your market been altered since the market was established?—I think there was a little alteration made in 1881, but it was a very small thing.

5965. Have you got the original tolls which were charged by your father?—I believe the original tolls as between myself and the general public, and my father and the general public, are almost identical; but I should not like to pledge myself to them exactly, because I have not a copy of the original tolls. The fact is I do not think that there were any printed; but the alteration, if any, is very slight.

5966. Are those the tolls in existence at the present time, with the exception of the addition to the

auctioneers' tolls?—Yes; but perhaps it may be as well to show you where the great difference lay. The difference, if you look at the Bill, you will find to be, that the provision in it is that the payment is to be by the head. Pigs are in large numbers, sheep are in large numbers, but oxen, cows, and bullocks are in small numbers comparatively, at the market. Where you have small numbers you would find possibly a little inferiority in the charge in the Bill; but when you come to the large numbers the charges in the Bill were in excess of my charges. I have it all worked out in figures here. For instance, I will give you a sample of what I mean. I will take the years 1875, 1876, 1877. There were 39,119 sheep in the market in 1875; in 1876 there were 45,142; and in 1877 there were 45,503. If you take the beasts for the same time, there were only 5,360 beasts in 1875; 5,546 in 1876; and 3,808 in 1877. Then, if you take the returns upon the pig market, it tells still more heavily. Taking the 1877 charges for sheep my charges would be 135*l.* 1*l.* 4*d.*, whereas the charges under the Bill would have been 189*l.* 1*l.* 11*d.*. Then my charges for the beasts, which numbered 3,808, would be 56*l.* 8*s.* 8*d.*, and theirs would have been a little less, 47*l.*

5967. You say that, so far as you are aware, there has been little or no change in the rate of tolls first established by your father?—Yes, except in the case of the auctioneers.

5968. I suppose it is not necessary for people coming into the market now to sell by auction; they may sell privately if they choose?—Yes; as to lean stock they sell by private contract.

5969. Does the selling by the auctioneers give you any extra trouble?—It has involved a considerable structural alteration in the market. I have made special arrangements now, both as to pens for weighing and for getting the stock with greater facility up to the pens. Things had to be a good deal re-arranged.

5970. What is the exact charge which you put upon the auctioneers?—It would be 4*d.* and 8*d.*; it would be 4*d.* for the ordinary rate and 8*d.* for the auctioneer. That would be 1*s.* per bullock.

5971. You find that the weighing machines are not used?—Practically not at all. Ever since they have been opened, which was on the 1st of January, a very few shillings represent all that has been received from them.

5972. And there is no right reserved to any special auctioneer; I suppose any auctioneer can come into the market?—Yes, I have a tabular arrangement worked out, and they have to go in their order. The man who is at the top one week will be at the bottom the next, and so on, and it is all drawn out so that you can see for the half year or the year together on particular days who will be at the top and who will be at the bottom.

5973. Can you give us any idea what the alteration in the structure of the market that was necessary for the sales by auction cost?—I could not do that. It is not very much; it is not a very serious thing, but it is that continual kind of expense that is going on, to always meet the altered conditions of the market.

5974. But it is not a very serious amount?—No.

5975. But practically you draw three times the tolls which you formerly drew upon each beast?—I have no hesitation in saying that it was a question at one time whether I should shut up this market unless I could get some reasonable alteration. I had a good deal of bother about it, and I saw no mode of making any alteration except this. The auctioneers were having an enormous plant applied for their purposes; their returns were very large indeed upon these payments, and I thought that it was only fair that if they had a good market for the conduct of their business I should take something for it, and I left it between them and the public to settle how the charge should be borne.

5976. But practically you do draw tolls about three times as large as you did formerly?—Only as to fat stock.

5977. But as regards the fat stock you do?—Yes.

5978. Can you give us the number of fat stock in a given year in the market?—No, I cannot.

5979. Not even last year?—No. I have not any of the details beyond the general numbers which I have given which were prepared for the Bill.

5980. These are the tolls, I presume, that are put up in the market?—Yes.

5981. (*Mr. Little.*) Can you tell us what is the area of the market?—I should think about an acre and a half.

5982. Do you know how many stock it will accommodate?—It will accommodate something over 4,000 sheep, and I should think approximately about 450 beasts. The pigs are sold on a different day. With reference to that I may state that the average number of sheep in the market will not, I suppose, be more than 1,500, or 1,600 a market, if you divide the total quantity by the 26 markets in the year.

5983. So that you have ample accommodation?—Yes.

5984. Are you rated for these tolls separately from the property?—Yes.

5985. Would you mind telling us what you are rated at?—I think the rates come to about 30*l.* a year.

5986. That is the amount of rates that you pay?—Yes.

5987. What are your rates in the pound?—I should think they would be about 6*s.* My assessment is, I think, 140*l.*

5988. Is that for the property or for the tolls?—For the tolls apart from the property.

5989. Do you know why the weighing machines are not used, to return to that subject?—It is rather a difficult question to answer.

5990. Is it the butchers who object?—In the first instance the butchers were strongly opposed to the auctioneers. The farmers were very much divided. A proportion of the farmers found it convenient to sell by auction, and I think the great reason why the farmers liked auctioneering was that there was a guarantee for the payment of the money, and they got the money immediately after the market was over, or the next day. It was the readiness of payment which induced them to favour auctioneering, I think, in the first instance, more than any actual advantage derivable from it. After a time there came a very divided condition of things. A large number of them did not want the auctioneers, and a large number of them did, and they appealed to me and I said, "Well, I am the servant of the public, I am quite ready to do whatever the great majority of the people desire, but I cannot exclude auctioneers from the market, for of course a very large number of people require them on the one hand, and I do not choose to facilitate them on the other; but it is entirely optional whether you employ them or whether you do not." Then I think the butchers were more favourable to the auctioneering after a period of years. In the first instance, for some reason or other, they were opposed to it; they liked the old-fashioned mode of making their own bargains; but after 12 or 14 years they became very much more in favour of the system of auctioneering. Then it gradually came about that the auctioneers and the butchers were pretty much of the same opinion; there was a change; there was no hostility. Then the difficulty for the farmer became very much greater. It was found at last that he could not sell his fat stock otherwise than by auction in the market, and therefore it has gradually gone on in that kind of way. I think when the weighing was first suggested it was done entirely for the purpose of getting rid of auctioneering. But when the formidable difficulty arose that the butchers did not like it, and nobody liked it, and nobody cared about it, then I do not think when it came to the point that there was a disposition on the part of the farmers to face the difficulty.

5991. Do you not think that it would be an advantage if open sales such as those by auction were sales

by live weight?—No doubt of it, but at the same time this was the position. As soon as these weighs were put down I was naturally desirous that something should come of them. I did not care about laying out another 100*l.*, and having it entirely unproductive and a dead loss; and, therefore, in order to set the example, I always weighed my own things when I sent them to the market. But there was a good deal of laughing and joking about the matter, and I was told the whole thing was jeered at. The consequence is that there is a passive resistance to the whole business, and I believe if other markets are at all like mine there is no value in these exceedingly well-intended statutory requirements; and the only people to suffer are the owners of markets. I think in Hull they are pretty much in the same condition; they have got some weighs down, but I do not suppose many people use them. I may say, by way of illustration, that in Pickering Market I think there is an auction charge, and in Hull Market within the last few months I have been told that they have come to the same conclusion as I have with reference to the position of auctioneers; and one of the Hull gentlemen told me that the contribution by the auctioneers to the market tolls would come ultimately to 700*l.* a year. They have a weekly market. How far that may be correct I do not know of my own knowledge.

5992. (*Sir James Corry.*) Are the fat sheep sold by auction the same as the fat cattle?—Yes.

5993. Do the auctioneers pay the same for selling sheep as for selling cattle?—No; there is a separate rate; the sheep are paid for by the pen of five.

5994. (*Mr. Elton.*) Are these tolls paid when demanded?—Yes, there is no difficulty as to the tolls; they are always paid.

5995. Has anybody ever been forced to pay who did not wish to pay?—Never. In the whole history of that market there has never been, that I am aware of, any such instance.

5996. Who made these rules and regulations?—I drew these up myself.

5997. They are apparently rules and regulations of the market made by some person having authority; but you drew them up?—I drew them up.

5998. Who is the clerk of the market?—He is dead now.

5999. Who appointed him?—I appointed him.

6000. Have you any power to appoint to the office of clerk of the market; have you any grant of the right to make a clerkship of the market?—No other than that it is my own private property.

6001. What is a private market?—It is a private market, in the sense that it is held upon my property and tolls are paid there. It is not a public market in the sense of any public body providing the accommodation.

6002. It is not connected with the manorial title to the market, I understand; are you aware that there is an ancient manorial title to a market in Great Driffield, and that there is a charter regulating the markets in this place where you have set up a private market?—I am not aware. I believe there is at Little Driffield, but I do not think there is at Great Driffield.

6003. I am not asking as to Little Driffield; I only asked whether you are aware that the charter as to Great Driffield was promulgated in an early reign, that of Edward II.?—I am not aware of the fact.

6004. You treated this as being a market, and you said that you were the servant of the public; but I gather that your late father appointed himself and made the market himself. You do not, as I understand, set up a title to a legal franchise of market as against the public, a right to hold a market and to levy tolls; and if you set up a market without authority you are of course liable to a *quo warranto* or you may set up the *simulacrum* of a market on a field?—I have already stated that I make no claims that no other person can make, and I ask for no statutory favour which is not already in existence.

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6005. I notice that you call these "tolls," but your own bill calls them "charges"; perhaps we had better not press the question of tolls?—As a statutory right I do not put it beyond my legal position.

6006. It depends upon possession for some years?—For 42 years. I have contended that having done all this I certainly ought to have some reasonable protection as against the outside public.

6007. I was only speaking on the bare technical point?—As regards the charter I may say that I did not know that there was any charter extending to Great Driffield. Of course Great Driffield in the reign of Edward II. could be only a few mud cottages at the very most. But when you extend these original powers to a town which has now 6,000 inhabitants, the case is very different. The lord of the manor practically gets no benefit out of it; his interest is of a very shadowy, and I may say shaky character, and it ends in his officials becoming obnoxious and creating a great deal of hostility and objection; and I am quite sure that if Lord Downe had known the real facts his action would have been different. I know the private history of course of all the bother in 1853. It was a long while before the real facts came to Lord Downe's actual knowledge, because nobody in my father's interest personally approached him.

6008. (*Mr. Pierce Mahony.*) Is the cattle market chiefly a market for fat stock or for lean stock?—It is a very large lean stock market too. It is the centre of one of the best agricultural districts of England; it is at the foot of the Wolds, and they bring in large

quantities of sheep for store. The Driffield fairs used to be the great fairs. In this correspondence Mr. Langley alludes to the damage that a cattle market would do to his fairs. There were four fairs in the year. Since these fortnightly cattle markets were established there is no doubt whatever that they have seriously injured Driffield Fair, and there is nothing like the quantity of stock at that fair that there used to be, because they can bring them fortnight by fortnight to the market, and they can dispose of them in a more satisfactory manner to themselves.

6009. Are the store sheep sold by auction?—No.

6010. What is the charge to the auctioneer for a pen of fat sheep sold by auction?—The auctioneers pay for the accommodation afforded them for conducting such sales in the market 8*d.* for each head of cattle and 4*d.* for each pen of five sheep. There are two classes here, one as between the public and myself and the other as between the auctioneer and myself.

6011. I understand that for selling fat stock the auctioneers charge 5*s.* a head?—I think it is 4*s.* 6*d.* now.

6012. That is irrespective of the value of the animal; it is not a per-centage charge?—No, it is not a per-centage charge.

6013. Do you know what they charge for a pen of sheep?—I think 2*s.* 6*d.* for five sheep.

6014. But it is a fixed charge irrespective of the value?—Yes, I think the charge is 6*d.* a piece.

The witness withdrew.

Mr. RICHARD HILL DAWE examined.

Mr.
R. H. Dawe.

6015. (*Chairman.*) You are town clerk of the borough of Hull?—I am.

6016. And you have held that office for three or four years, have you not?—Yes, since the 4th of December 1884.

6017. Will you tell us how long the corporation of Hull have held their markets?—Since 27 Edward I., when they were granted by charter of that monarch.

6018. Have there been any later charters?—There have been several, I believe, upwards of 30 altogether; but the only charter which really affects the markets was the one of 40 Elizabeth, which authorises the holding of markets in any places which the corporation might appoint; and by the governing charter of 13 Charles II. the market rights were confirmed.

6019. How many markets are there in Hull?—There are six, and not seven, as was stated by Mr. Bradnum.

6020. What is the difference between your calculation and his?—The first, is the Market Hall, Queen's Street, for the sale of meat, butter, eggs, poultry, &c. The second is the general market on the north and south sides, and west end of Holy Trinity Church for the sale of vegetables, fruit, flowers, seeds, toys, baskets, clothes, &c. The third is the wholesale fruit and vegetable market in the Corporation Field, Park Street. The fourth is the pig and cattle market, Edward's Place. The fifth is the wool market in Edward's Place. The sixth is the Corn Exchange in High Street. Mr. Bradnum has arrived at his seven markets by including the Paragon Station belonging to the North-eastern Railway Company and Billingsgate on the dock side belonging to the Dock Company, by omitting the cattle and wool markets altogether, and by treating Dixon's Square, which adjoins the Market Hall, as a separate market.

6021. Then you do not consider that the places which are used as markets by the North-eastern Railway Company and by the Dock Company are entitled to be called such?—They are certainly not markets appointed by the corporation.

6022. But they are markets in the popular sense of the word?—Business is undoubtedly done there, with which corporation have never interfered hitherto, but the sale of fish and also of garden produce at the two

places has been the subject of a report by myself to the committee, and what the action of the committee may be I am unable to state. The sales have been allowed for some time past.

6023. Mr. Bradnum told us, in answer to a question whether the markets were in different parts of the town, that they are scattered all over the town and miles apart; do you confirm that?—That is not so. The plan that I hand in, marked A, shows that they are not scattered. At the same time, they are not all together, and we contend that no object would be gained by placing them together. We cannot conceive, for instance, that any good object would be served by placing the corn and meat markets under one roof. On the plan of the borough, which I hand in, the sites of the various markets have been coloured red (*producing a plan*).

6024. We had a statement from Mr. Bradnum that the markets were in reality governed by what he called a markets sub-committee; is that the case?—Mr. Bradnum's assertion that the markets are governed according to the absolute will of the markets sub-committee is without foundation. They are entirely under the control of the town council, which is elected by the ratepayers in accordance with the Municipal Corporations Act, 1882. The multifarious work of the council is transacted by means of committees and sub-committees, whose proceedings require confirmation by the council before they become operative. I believe that, as a matter of fact, greater publicity is given by the Hull Corporation to the proceedings of their committees and sub-committees than by any other in the kingdom, the press being summoned to all committees (not sub-committees), and the proceedings of sub-committees being read over at the full committees in the presence of the press, and approved either with or without alteration, as the case may be. The whole proceedings of every committee and sub-committee, moreover, are printed *in extenso* and sent to the press, as well as to every member of the council, two days at least before they come up for confirmation by the council. A print of the proceedings of the property committee, showing the market sub-committee's minutes, is handed in, marked B.

6025. When you say that the whole of the proceedings of every sub-committee are printed *in extenso*, does that mean merely a formal notice of the business gone through, or does it include any report of the discussions which may have taken place?—Of the business done. Of course it would be impossible to circulate shorthand notes of all that is said at sub-committees; but reports, letters, and resolutions, in fact, the minutes of the whole of the committees and sub-committees are entered *in extenso*, and printed for circulation.

6026. But there is no contradiction there between your evidence and that of Mr. Bradnum, because he says that the sittings of the sub-committees are all practically held in secret, that is to say, without reporters?—That is so with regard to the sub-committees only. But he went on further to say, as I gathered, that the markets were governed according to the absolute will of the sub-committee. That is an entire fallacy.

6027. We may take it that the business done at the sub-committees has to be referred to the committees which afterwards deal with it?—That is so, and the proceedings are read over in the presence of the press, and any member of the committee is of course at liberty to move any amendment, or the rejection or approval of the action of the sub-committee.

6028. But that may be consistent with the fact that the proceedings of the sub-committee are not in practice interfered with by the committee?—It is not a formal vote taken by the full committee. The proceedings of the sub-committee are read over, and if what they have done commends itself to the judgment of the committee it is approved, otherwise it is disapproved, and a resolution altering it is entered on the full committee's minutes.

6029. Therefore you say that there is power to overrule the markets' sub-committee, whether that power is frequently used or not?—I go even further and say, that the sub-committee's action is practically a report, and has no validity whatever until confirmed by the full committee and by the council afterwards. I should not act upon it myself, nor would the treasurer.

6030. How is this markets' sub-committee composed?—It is composed of the chairman and deputy chairman and four other members of the property committee, two being aldermen and two being councillors. The mayor and ex-mayor are *ex officio* members of every committee and sub-committee of the corporation.

6031. Do the mayor and the ex-mayor practically attend these sub-committees?—They attend some; they do not attend all. Sometimes the business coming before a sub-committee, even a general committee, is more or less formal or of trivial importance.

6032. Mr. Bradnum states that he sent a letter to the town clerk to inquire whether he might be allowed to bring a reporter before the markets' sub-committee, or to bring a friend as a witness, and that this was refused; have you anything to say upon that?—The history of Mr. Bradnum's application to bring a reporter before the markets' sub-committee is shortly this:—Having on the prosecution of the police been convicted several times of obstructing Humber Street by exposing goods on the highway contrary to the provisions of the Towns Police Clauses Act, Mr. Bradnum, on the 6th January last, waited upon the property committee and asked the following questions:—

(a.) Is the decision of the corporation final to clear Humber Street entirely on Mondays and Thursdays, and to prevent perishable fruit and vegetables arriving by railway from being exposed for sale therein, as is now usual on Tuesdays and Fridays?

(b.) If the decision of the corporation is not final, upon what conditions will they allow the same opportunities of exposing upon Mondays and Thursdays as is now afforded on Tuesdays and Fridays?

These questions were referred by the property committee to the markets' sub-committee for considera-

tion and report, with power to seek an interview with Mr. Bradnum. Mr. Bradnum was accordingly invited to attend the sub-committee on the 23rd of January, on which morning I received a letter from him, asking whether there would be any objection to his bringing either a reporter or a friend to the meeting. To this I replied that it was unusual for reporters to be present at sub-committees. Mr. Bradnum attended the meeting, and although the chairman promised that a shorthand note of the interview should be taken and a copy supplied, if desired, Mr. Bradnum stated that he did not feel inclined to go into the question unless he had an independent person present, and asserted that the majority of the members were publicly pledged against the views he held.

6033. Is it the fact that there is to be a revision of the byelaws relating to the markets?—That is so. I have had them in hand myself for some time, but owing to pressure of other business I have been unable to give attention to the matter.

6034. Can you tell us what decision the council have come to upon the subject of the appointment of a market committee?—At the last meeting of the council held on the first Thursday in May the following resolution was passed, viz.:—

"That a committee be appointed to be called 'the market committee' to inquire and report—

"First. As to the existing market rights of the corporation, and as to whether these rights are being exercised by other persons or companies.

"Secondly. As to markets in other cities or boroughs, their rights and utility, and the incomes derived therefrom.

"Thirdly. As to whether it is desirable that further market accommodation should be provided in Hull.

"That such committee consist of three aldermen, to be selected by their own body and two councillors from Central and Queen's wards respectively, and one councillor from each of the other (10) wards to be selected by a majority of the representatives of each ward, and the mayor and ex-mayor *ex officio*."

It will be observed that this resolution directs an inquiry and report, and does not interfere with the regulation and management of the markets.

6035. A question was put to Mr. Bradnum as to whether there were complaints of inadequate market accommodation, and he answered, "Yes, there are 'great and general complaints'; what have you to say upon that point?—I am not aware of any great or general complaints with regard to the markets in Hull, except the cattle market, and in that case nothing has been done latterly owing to the conflicting opinions which prevail as to the most desirable site. The council have in fact given effect in every way to the constitutionally expressed opinions and wishes of the ratepayers, and it is owing to the want of a definitely expressed opinion on the question of sites for the cattle market that no further action has hitherto been taken with reference thereto.

6036. Is it the fact that since 1861 the population of Hull has doubled?—Possibly; I have not gone into those figures. It is very likely that it has doubled, or more than doubled, but I cannot say. I had not checked those figures; I thought them scarcely material.

6037. An objection was taken by Mr. Bradnum to the alleged increase of tolls in the cattle market; how do the facts stand as to that?—That is a misapprehension on the part of Mr. Bradnum. The increased charge which he refers to was for sales by auction of fat cattle on other than market days. The gentlemen referred to in Mr. Bradnum's evidence, the auctioneers, waited on the markets sub-committee on the 1st of March 1887, and asked to be allowed to take Edward's Place, where the cattle market is held on Mondays and Thursdays (which were not market days), at an annual rent, for the purpose of holding their sales by auction, and it was suggested that the rent should be 20*l.* a year, payable by each auctioneer. The com-

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mittee came to the conclusion that the proposal of the auctioneers would tell unfavourably upon some of the smaller men, and would have the effect of destroying competition, and they therefore recommended the adoption of the following extra rates for sales by auction of fat stock: 6d. per head upon all beasts; 3d. per pen of five sheep or lambs; 1d. per head upon swine. The auctioneers were at liberty, if they did not care to pay the charges fixed by the corporation, to provide or take any other place for their sales, and they, as a matter of fact, attempted to hold their sales in an adjoining yard, but were not supported, and a resolution was passed at a meeting of farmers and butchers on the 12th of April urging the corporation to utilise Edward's Place to the fullest extent, and pledging itself to attend only the corporation's cattle market, and declining to support any cattle auctions held elsewhere. It is admitted on all sides that the present cattle market is too small.

6038. In point of fact the council are considering the question of enlarging or removing it, and the difficulty at present is that they cannot determine upon a site?—That is so; they cannot determine upon such a site as will satisfy all parties concerned in the trade.

6039. With regard to the sale of market garden produce, fruit, vegetables, eggs, and butter, have you received any complaint?—No, so far as I am aware there are none, at least no constitutionally expressed complaint, if I may put it in that way. Complaints may be made in the markets that I never hear of, but no general complaint has reached the corporation upon the subject.

6040. The general market was removed, we are told, a few years ago from the market place to the church side?—Yes, the market place being on the east side of Holy Trinity Church, it was removed to the north, south, and west sides for the convenience of the traffic in the market place.

6041. I see that Mr. Bradnum in his evidence says that several small markets have grown up in different parts of the borough, in addition to which markets are held in many of the streets; and he goes on to say that the consequence of this divided system is to weaken the competition; have you any remarks to make upon that?—I should have thought that it would have had exactly the contrary effect, but I cannot accept the statement that several markets have grown up in the town. Mr. Bradnum's illustration practically is a refutation of his statement. For instance, he says that one market is in Humber Street. Humber Street is not a market; it is a place appointed for the standing of carriers' carts on market days. If carriers be desirous of selling from their market carts, the corporation have decided that they may do so, and in fairness to the rest of the people who attend the markets, the carriers are charged a small toll for so doing. Then he refers to Dixon's Square, which he says is another market. That is absolutely adjoining the Market Hall itself, and the produce there sold is what is called the Lincolnshire produce, mostly live rabbits, live chickens, and pigeons, quite different from the vegetables and other produce which comes from Cottingham. Then again, bearing in mind that markets are intended for the purpose of distribution, I am doubtful myself whether scattered or distributed markets are not better adapted for the purpose than one central market.

6042. You mean that they are less liable to be crowded?—Yes, and you must bear in mind that market produce, potatoes and other things, are very heavy for people to carry; and if, in an extended borough, the ratepayers have to attend one place, it must necessarily be a long way from the fringe of the town, and if you add the cost of trams or conveyance to the amount that they have to pay for the produce when they get to the market, I doubt whether they would be in favour of a central market so much as of scattered ones.

6043. In your opinion is there any desire on the part of the people of Hull to have one central market

constructed in lieu of these scattered markets?—It certainly is not the desire of the people of Hull to incur that expense; at least, it has not been so expressed. I may here observe that in Manchester there is a most magnificent market, and it is rather a significant fact that Mr. Bradnum left Manchester some 10 or 12 years ago, where I believe before he left he found as much to complain of as he does in Hull. However, since he has come to Hull, I believe he has been fairly prosperous and successful.

6044. Some mention has been made of the Corporation Field, and it has been stated that the Field is neither flagged nor paved, that it is covered with ashes, that it is often ankle deep in mud and dirt, and that its condition is injurious to the health of those who attend the market; what have you to say to that?—It is the wholesale vegetable market for the produce grown in the district. It is not flagged certainly, but the portion of the Field where the carriers' carts stand has been macadamized, and the rest has not been covered with ashes, but cindered; possibly, in very bad weather, it may not be very clean for foot passengers, but I know of no general complaint upon the subject; and the market gardeners and farmers who attend it would, I think, prefer to be there as it is without having to pay the cost, or to contribute higher tolls towards the expense of covering it. The charge at present made is 3d. for every cart or waggon whatever may be the contents; and I think if it were a covered market it would have to be much higher. It is an exaggeration to say that the ground is ankle deep in mud; I cannot conceive that it has been, and I am told that it never was in such a state. I have never been there whilst the market was being held, so that I cannot speak of it from personal observation.

6045. I see that it is stated in the evidence from which I have been quoting, that none of the markets are covered in, and that therefore in wet weather, or snow, there is considerable inconvenience and injury to health; have you any remark to make upon that?—The wholesale vegetable market in the Corporation Field is not covered; neither is the market outside Holy Trinity Church, but the Market Hall is. The market round the church side is a retail vegetable and general market for which the corporation provide stalls and frames for the coverings, but the people who take the stalls provide their own coverings; and I have noticed that although the corporation provide the stalls and frames, there are some cases where the people prefer not to pay the small tariff which is charged for the stall, or go to the expense of providing a cover. Articles of very small value, such as crockery and so on, are sold there, and I doubt whether they would be able to bear the increased charges which it would be necessary to impose if they were placed under cover. With regard to the health of Hull, I think it only fair to say, that although the site of Hull is level and somewhat low, the drainage is very efficient, the corporation having erected a pumping station by which the sewage can be forced into the River Humber whatever may be the height of the water, and by the scour of the tide is carried well away to sea. The Registrar-General's returns prove Hull to be very healthy. Last year, according to the Registrar-General's returns of deaths in the 28 large towns, Hull was the lowest but three on the list, with an average death rate of 19·2 per 1,000. I think the return sufficient evidence as to the health of the town.

6046. We have some statements made about the new market hall, and Mr. Bradnum has told us that it has been built "almost I believe, I might say, in defiance of the people of Hull"; have you anything to say as to that statement?—That statement is wholly unintelligible. The new market hall has taken the place of old buildings called the shambles, which belonged to the corporation in their municipal capacity, and the re-building of the market hall was not proceeded with until after the scheme had been under consideration for nearly 12 months, and, having been fully discussed, was finally approved by a vote

of the council of 39 to 10. There was a public meeting held at which I was not present, but I understand that there was an overwhelming majority in favour of the rebuilding of the market hall; and the suggestion that no poll was granted because the mayor was out of town is an absurdity, since there was no power to demand or grant the taking of a poll on such a point.

6047. I observe that Mr. Bradnum says: "This meeting was held in the sessions court in the old town, a very small place, in fact the meeting was thoroughly packed by representatives of the shopkeepers in the market place who closed their shops early in the day;" was that the case?—I think that is an entire misapprehension on his part. I was not in Hull at the time; it was before I went to Hull; but I think he is not warranted in making that statement. The sessions court is the principal place in which we have held these public meetings; the first public meeting after I went to Hull was held there.

6048. It is also stated that the charges in the new market are three times what they were in the shambles, and that people are paying at the rate of 70*l.* per square yard per annum; is that the fact?—That is not the fact. I hand in a statement marked E. of the sums now charged for stallage, &c. in the market hall, and of those taken in the shambles before they were pulled down. I also hand in a statement marked F. showing the capital invested in and the income derived from the various markets in the town. From this statement it appears that the capital sunk in markets is 142,113*l.* 5*s.* 9*d.*, bringing in a nett income of 3,904*l.* 14*s.* 10*d.*, being 2½ per cent. upon the capital. It will also be seen that the total cost of re-building the market hall was 23,640*l.*, the estimated value of the land being 44,000*l.*, making together 67,640*l.*, and that the nett revenue from this invested capital is 2,129*l.* 11*s.* 0*d.*, or about 3¼ths per cent., being less than the interest which the corporation have to pay on the money which they borrow.

6049. Was that re-building done out of borrowed money?—To the extent of 19,000*l.*; but we exceeded our estimates by 4,000*l.*, and we have paid that out of the borough fund. In addition to the payment of interest we have to provide a contribution to a sinking fund for the re-payment of all moneys borrowed, the interest and sinking fund on the moneys borrowed for the market hall amount to about 5½ per cent.

6050. Over how many years is the repayment spread?—For the market hall 30 years, as a rule, 30 years for buildings, and 60 years for land are allowed. I ought to say that the area of the market hall occupied by stalls and stands is 1,787 square yards, and the annual income derived from the stallage and standage is 986*l.* 12*s.* 11*d.*, being at the rate of 11*s.* 0½*d.* per square yard per annum, and not 70*l.* I cannot understand the 70*l.* in any way. It will be seen from the plan marked D, that in rebuilding the market hall, Queen Street was considerably widened and improved, the hall being set back a distance of eight feet. For land thus thrown to the street the sum of 8,000*l.* was borrowed by the Corporation in their capacity as the urban sanitary authority, with the sanction of the Local Government Board, and this money was invested in the purchase of land at the back of the old shambles, upon which the new market hall is partly built. Mr. Bradnum has erroneously treated this 8,000*l.* (the cost of the street improvement) as part of the cost of the new market hall.

6051. What have you to say as to the Dixon's Square market?—Dixon's Square was a small dilapidated property purchased by the corporation, out of the borough fund, for 1,500*l.* The plans for covering it in were passed by the property and works committees of the corporation, and duly confirmed by the council. It is a most convenient adjunct to the new market hall, and is used for the storage of stalls and stall carts, except on market days, when the stalls are erected on the church sides, and Dixon's Square itself is then occupied by what is called the Lincolnshire trade, viz., live poultry, pigeons, rabbits, &c.

6052. You repeat that there has been no demand, so far as you are aware, for a centralized market, instead of a number of detached markets?—No, apart from Mr. Bradnum, and that section of the public he represents.

6053. You deny that there is any illegality or deviation from ordinary custom in the manner of constructing Dixon's market?—Entirely.

6054. It is stated that the matter was never put before the ratepayers, and has never received their sanction; how is that?—It received the sanction of the town council; and with regard to public meetings, the only cases that I know in which they are necessary, as your lordship is aware, are under the Borough Funds Act, and the Public Libraries Act; I do not quite understand why a public meeting was called for the purpose of discussing the rebuilding of the hall; certainly it was unnecessary, and I am rather opposed to it. I myself think that the constitutionally-elected representatives of the ratepayers should decide these matters. There was no requisition whatever for a public meeting with reference to the Dixon's Square market, and I presume that there was a requisition for a public meeting for the market hall, and that explains the difference between the two.

6055. With reference to the market or quasi-market at the Paragon Station, has that been at all interfered with by the corporation?—Not yet. The property committee requested that I should report upon these sales as well as upon the sales of the property of the Dock Company, and I so did. That report has been referred to the markets sub-committee, and in pursuance of the resolution appointing the market committee I have drawn up a report to them upon the whole subject, which embraces my report with reference to the sales at the Paragon Station and on the dock sides. They have not hitherto interfered with the traders in the disposition of their goods, and of course Mr. Bradnum is open to this observation, that as a trader he is rather singular in his objection to the freedom which the corporation have given to other traders.

6056. As a matter of fact, without expressly sanctioning this market at Paragon Station, they have allowed it to go on?—I do not think that until about a year ago it was officially brought to their notice. No doubt members of the corporation individually knew of it, but no resolution was passed with reference to the subject.

6057. Something was said by Mr. Bradnum in his evidence as to markets held in the street in Mytongate, Fish Street, Dagger Lane, Humber Street, and by the docks; will you explain that?—The corporation have the power to appoint the market in any place they choose within the borough. Those streets are not markets so appointed by the corporation, but they are places where carriers' carts are allowed to stand, and, as I have already mentioned, the corporation have been glad to give to carriers the facility of selling from their carts, if they so choose, upon payment of a small toll,—½*d.* to 2*d.*, I believe, according to the nature and quantity of the contents of the basket, but the carriers who have anything to sell are placed, as far as possible, in Mytongate, and not in Humber Street, though possibly a few may go there to sell.

6058. Then Mr. Bradnum goes on to say that the corporation have objected to his exposing fruit for sale in Humber Street; what remark have you to make upon that?—When he says, "the corporation," I must point out that though practically the corporation could, no doubt, prevent him from doing so, it is on the prosecution of the police under the Town Police Clauses Act that he has been convicted 19 times since the beginning of June last for the offence of obstructing Humber Street, and fines have been imposed first of 1*s.*, subsequently of 5*s.*, 10*s.*, and 15*s.* Hearing that Mr. Bradnum wished to come and give evidence before the Royal Commission, the watch committee passed a resolution, not in the words, I

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believe, stated by Mr. Bradnum, but that in the opinion of the committee the obstruction in Humber Street was not of such a character as to render necessary further prosecutions. That resolution was passed purely, I believe, in deference to this Commission.

6059. Are the importers of foreign fruit and vegetables satisfied, so far as you are aware?—They have their own warehouses which they have constructed. I saw a few of them, and they have not only no wish for a market, but they stated that they should not go to it if one were provided. I said to one of them: "If we provided a market and required you to go there, what would you do?" "Well," he said, "we should remove our trade from Hull." The market produce is at present allowed to lie for 48 hours in the dock-sheds without charge. I hand in a statement marked G of the fish, fruit, and vegetables, imported into Hull in 1887, upon which wharfage was paid to the Dock Company. It was supplied to me by the secretary of the company. The bulk of this produce was carried direct to the railway station for transit to the inland towns, such as Leeds, Bradford, Sheffield, &c., and to have first taken it to a market would have been simply a useless expense.

6060. Do you think that the people of Hull would be willing to sanction any large expenditure for providing an improved market?—So far as I have been able to gauge their desire, they certainly would not.

6061. And I think I understood you, in what you have already told us, to say that the corporation do not make any large revenue out of their market, but on the contrary, a very small return on the capital sunk?—They make scarcely a proper return on the capital sunk.

6062. Do you think that the increasing population is creating at present a demand for increased market accommodation?—No, I do not; I rather agree with the view expressed by Mr. Bradnum, that retail markets in large towns like Hull have had their day to a certain extent, and that his statement that the market in Hull is going down is an answer to the charge which he makes against the corporation of not laying out further moneys upon the markets.

6063. Has there been any agitation upon the question of markets?—With regard to the cattle market there has, and that has been up before the property committee and the council several times, and a proposal is now under consideration which has emanated I believe from the farmers, the butchers, and the auctioneers. Of course there has been this action by Mr. Bradnum, and the section of the public which he represents, or professes to represent, but I scarcely think that it can be called an agitation.

6064. I presume that the municipal elections at Hull are conducted in the same manner as in all other boroughs?—Precisely, and Mr. Bradnum's suggestion that the corporation more particularly represent the property classes is not warranted, because, as your lordship is probably aware, every ratepayer who has paid his rates is qualified to be entered upon the Burgess roll, and occupation only and not ownership of rateable property is necessary as a qualification.

6065. Have you had any communication with the Privy Council Office as to the necessity of providing accommodation for the landing of cattle?—Yes, a complaint was made, or rather suggested, that the Dock Company owned the dépôt for foreign cattle. That is simply provided by them because the Corporation have really no available site. In the year 1877 the Privy Council sent a communication to Hull that unless proper accommodation were provided for the landing of cattle from foreign countries, Hull would be struck out of the list of ports where foreign cattle might be landed. The council thereupon directed the Land Sales committee to report upon the best available site, and a print of the report which they presented is handed in marked H. It appears from this report that the Corporation had really no available site except Edward's Place (to

which there were the gravest objections), and that the citadel site, the property of the Dock Company, was the most convenient one for all purposes. I understand that the arrangement with the Dock Company to provide a site was first suggested by Professor Brown, of the Privy Council, and in making the arrangement come to, Hull only followed the example of Sunderland and Grimsby, where dépôts had already been provided by dock authorities. I hand in a list of the charges made by the Dock Company at the dépôt, marked I. I have no reason to suppose that they are, as stated by Mr. Bradnum, excessive; on the contrary, it would be to the interests of the Dock Company who take the dock dues, to attract by low charges at the dépôt as much business to their docks as possible.

6066. Have the tolls in the cattle market been altered?—No, not in the cattle market. The charge to auctioneers for selling fat cattle on other than market days have been increased, as before mentioned.

6067. Are the borough byelaws and regulations being revised?—They are, and a draft of the new market regulations has, as a matter of fact, been printed, but of course the old ones remain in operation until new regulations are actually made and published. Possibly Mr. Bradnum has obtained a print of the new draft regulations, and has based upon this draft, which he says was not supplied him from the Town Hall, the accusation that the corporation first make byelaws and then repudiate them.

6068. Have you any remarks to make in conclusion on this evidence upon which you have been commenting?—I think it appears to have been given more or less at random by Mr. Bradnum, and without much attempt, if any, at verification. In many cases his statements are more than inaccurate, and little if anything short of absurdities, at least, I think so. I cannot help thinking myself that in Hull the greatest consideration for the trader, even at the expense of the ratepayer, has been shown. I do not know whether the Commission would care to hear my individual views as to the question of market rights and tolls.

6069. We shall be very glad to hear them?—It is only just that every market should be self-supporting, and I believe that the highest tolls are exacted where market monopolies are most stringently enforced, and that as the necessity for enforcing these rights is often the consequence of the highness of the tolls, so the excessiveness of the tolls may sometimes be accounted for by the heavy expenditure which has been incurred upon the markets.

6070. Where there has been a heavy outlay on the market the corporation naturally do not wish that the ratepayers should suffer, and therefore they raise their tolls?—It would be unjust that the ratepayers, many of whom, probably most of whom, are traders and shopkeepers, providing their own trading accommodation, should be taxed with the cost of providing trading facilities for other people. Consequently the tolls ought to correspond with the cost of building and maintenance, and when they become excessive it very often follows that the market authorities have to enforce their rights to a monopoly. The most important consideration in connexion with markets appears to me to be not so much a question of tolls, as whether market monopolies are in harmony with the spirit of the age, or can be said to benefit any but the owners of markets, and whether all traders should not be left entirely free to supply their own wants.

6071. That is to say, speaking personally, you would not object to anybody who pleases setting up a private market?—I could not say that we should not, having regard to the fact that a large amount of money has been sunk in markets; but if the history of the markets were wiped out, and we were beginning anew, I do not think that anyone could justify the granting of a market monopoly. I assume that the traders know, or ought to know, the conditions most favourable to the transaction of their own particular business, and further that knowing best their own requirements

they are able to determine how the same can best be met. What I feel, however, is this, that if it be right to utilise in providing markets the public funds to which all ratepayers are obliged to contribute, it does not seem unreasonable that traders should be placed under a corresponding obligation to fully utilise and pay for that which has been provided for their benefit; and the objection to market monopolies in the hands of constitutionally elected local authorities who are amenable to their constituents is very small, as compared with private and irresponsible persons or companies who may manage or farm a market for their own profit alone.

6072. I think I may take it from what you say, that you are in principle against the creation or maintenance of a market monopoly?—I cannot quite say that, because I feel that the abolition of markets would be a most difficult matter to effect, seeing that the monopolies have become a very valuable species of property, realising in many cases large sums, and that moreover still larger sums have been expended in providing markets, the value of which by the abolition of market rights would be very greatly reduced, and in many cases entirely destroyed.

6073. How would that be so, because if the money spent in providing a market has been judiciously spent, and the accommodation given at the market is sufficient, the mere abolition of the monopoly right ought not greatly to injure the market so circumstanced?—Yes, if it had been judiciously spent with more or less foreknowledge, and the expenditure was such as to provide the facilities required for the present day; but a great amount of money presumably has been spent in providing markets, where no sinking fund has been set aside to recoup the capital expenditure; and consequently I fear that a new market might be set up with better appliances and greater facilities which would possibly take away from the older one the trade that it had.

6074. Are you speaking now of Hull?—No, I am not speaking of Hull, because, so far as Hull is concerned, I cannot help feeling that with regard to our markets our action has been most irreproachable, and has been dictated by a liberal and a wise policy.

6075. Are you speaking of markets in private hands or of markets in the hands of public authorities?—The greatest objection to markets appears to me to be to markets in private hands.

6076. Upon the ground, I suppose, that there is no sufficient check upon the amount of the tolls, and no sufficient power of enforcing the provision of proper accommodation?—Yes, I think the greatest objection is this, that no individual, it appears to me, can say what facilities should be given for each particular trade. It appears to me that every body of traders should have it in their power to say, "we will either do our business together or separately, as the case may be"; and for one central authority, whether it be a town council or a company, to endeavour to provide facilities suitable for every trade I think is a mistake, though the mistake does not work so much injury in the case of a constitutional body like a town council (perhaps it works none), as it does in the case of a private individual or company.

6077. (*Sir Thomas Martineau.*) With reference to your statement marked F, the capital sunk in markets at Hull is 142,000*l.*, and you state that it brings in a nett income of 3,904*l.* a year. That "nett" is, I understand, without making any allowance for the interest or the sinking fund?—That is so. I could not very well without causing a little confusion bring in the question of interest, for this reason, that a part only of the capital has been borrowed; take for instance the market hall; in that case we have only borrowed 19,000*l.*, and we are paying 3½ per cent. interest and about 2 per cent. sinking fund for repayment within thirty years. That makes 5½ per cent. upon the 19,000*l.* The rest of the money is capital belonging to the borough fund. The income given was nett income, and not after deducting interest or sinking fund.

6078. At what rate do you borrow?—Our last loan was issued at 3½ per cent.; I apprehend that our next one will be at 3 or 3½ per cent.

6079. And the sinking fund?—It depends of course upon the number of years of repayment. In the case of the Market Hall, it was thirty years.

6080. But what is represented by the 140,000*l.*?—The most of it is borough fund belonging to the corporation which is not borrowed money. We have owned the market since the 27 Edward I., and we have owned property in connexion with it for probably nearly as long. The markets are administered by the corporation in their municipal capacity, and not under the Markets and Fairs Clauses Act.

6081. Anyhow the 3,904*l.* falls a long way short of the proper interest on the outlay?—That is so. It only represents 2½ per cent., and we have had to borrow money at 3½ per cent. up to the present time, in addition to which we have had to set aside a sinking fund, so that really the ratepayer, if anyone, is the person who can complain with regard to the administration of the markets.

6092. When Mr. Bradnum was here he said that this markets question had been a burning question, and had been a test question at the elections; is that true?—I do not think so. I think I should have heard of it if it had been, and I certainly am not aware that it was.

6083. At question 5176 he was asked: "Has this question about the new market been made a test question?" and his answer was: "Yes. One man who supported it lost his election last November." Was that so?—I do not know to whom he refers unless it is to Mr. Stirling. Whether it was in connection with anything relating to the market that he lost his seat I cannot say; but I have no reason to believe that it was.

6084. On the other hand he says that Councillor Larrard, who brought forward the resolution in favour of appointing a markets committee to inquire into the market rights, and to report whether further market accommodation is desirable, was returned; was that with reference to the markets?—No; I think it was owing to Mr. Larrard's personal popularity.

6085. Then you do not think that the elections have turned upon that?—I do not. I do not think it is a burning question in anyone's mind, with the exception, perhaps, of Mr. Bradnum and a very small following.

6086. With regard to the byelaws in the markets we had a very extraordinary story told us about your having no byelaws at all; you have explained that, but I suppose we may gather that you have old byelaws, although you have been in course of revising them which relate to the market itself?—Yes, clearly; and those were sent up, I think, with our replies to the Commissioners.

6087. And they are subsisting byelaws at the present time?—Undoubtedly.

6088. I suppose you cannot explain why a copy of these byelaws was not given to the applicant?—I believe the old ones are nearly out of print, and inasmuch as we are contemplating publishing new ones we had not printed the old ones again. More than that, I may mention that there is a little difficulty in my mind at all events with reference to the framing of byelaws or regulations. I fear that the framing of byelaws under the Markets and Fairs Clauses Act, 1847, might operate as an abandonment of our rights under the charter, inasmuch as I do not think we can put in force the power of the Markets and Fairs Clauses Act, which is a power granted by the three estates of the realm, and at the same time pretend that our existing market rights under the charter granted by the one estate of the realm are subsisting. Mr. Bradnum has it in his mind that certain byelaws must be fixed in the market, and other matters which may apply to markets under the Markets and Fairs Clauses Act, but I do not think that they would apply to chartered markets like these; at least I should scarcely be prepared to advise the

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corporation to put in force the Markets and Fairs Clauses Act with reference to the byelaws.

6089. (*Mr. Little.*) I do not think that you have been asked about one statement of Mr. Bradnum's, that the building of the Market Hall was a great property scheme, comprising shops and spirit vaults and so on, and not fairly a market scheme?—The Market Hall takes the place of what was previously the old shambles, and the shambles were practically the same class of property as the new market hall, but whilst formerly the shops faced on to Queen Street, they now also have a frontage to the hall inside. Both the shops and the site upon which they stood belonged to the Corporation in their municipal capacity, just as the markets did. The rebuilding of this hall undoubtedly was a great improvement upon the shambles, and that is the only criticism which, I think, can be made upon it. The shambles were old property, and this is new.

6090. They are in fact shops?—They were shops before.

6091. But they are included in the market expenditure?—It would be difficult to divide them, because the whole of it was one scheme; but it could be done if necessary. The engineer or the surveyor could give an estimate of the relative cost of the market,

and of the shops, but it has been unnecessary to do so, because both things go to the borough fund.

6092. Mr. Bradnum stated that auctioneers were charged 150 per cent. more than other sellers of cattle; is that true?—That is wholly untrue. On market days all are charged alike.

6093. I think he stated that on one market day they refused to pay, and that on the next market day the gates of the market were guarded against them by policemen?—On market days they are all charged alike, and on Mondays and Thursdays, the days appointed for the sale of fat stock, they are charged the rates which I have already stated.

6094. In answer to question 5085, Mr. Bradnum states distinctly that on "the following market day" the gates of the market were guarded by policemen "against all the cattle dealers and auctioneers who refused to pay the week's previous toll at the increased rate"?—That I am afraid is another inaccuracy. It was on a day that was not a market day.

6095. As a matter of fact auctioneers are not charged more than other cattle sellers, and the tolls have not been raised except upon the off-days for the sale of fat stock?—That is so.

The witness withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

TWENTY-FIFTH DAY.

Friday, 8th June 1888.

PRESENT :

SIR JAMES PORTER CORRY, BART., M.P., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR THOMAS MARTINEAU.
MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. WILLIAM C. LITTLE.
MR. PIERCE MAHONY, M.P.
MR. HENRY A. P. ROOKE, *Secretary.*

MR. HENRY FULFORD examined.

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6096. (*Chairman.*) You are Chairman of the Markets and Fairs Committee of the borough of Birmingham?—Yes.

6097. Are the market rights and tolls in the borough of Birmingham the property of the corporation?—They are.

6098. When did they come into the possession of the corporation?—The corporation took them over from the town commissioners in 1851. Formerly they belonged to the lord of the manor, Mr. Musgrave, and they were acquired by the commissioners from the lord of the manor for 12,500*l.* in 1824; then, under the power given by the Birmingham Improvement Act, 1851, the corporation acquired power to purchase them from the commissioners with other properties that had been acquired by the commissioners.

6099. At the date of the transfer of the markets to the corporation in 1851 what had been the expenditure of the commissioners on market buildings and land?—93,466*l.*

6100. Has any of that 93,466*l.* been paid off?—Yes, a large proportion of it has been paid off; but in

addition to that capital sum, loans, on which we pay interest and sinking fund, have been contracted from time to time for the extension and improvement of the various markets, and at the end of last year the amount expended altogether was 235,729*l.*, of which sum 142,646*l.* was outstanding.

6101. Will you describe the markets in the borough of Birmingham?—The markets of the borough of Birmingham are as follows:—The market hall and vaults beneath it in High Street, used as a general retail market for vegetables, meat, fish, and miscellaneous wares. The bull ring open-air market for the sale of plants, shrubs, and live poultry. The wholesale vegetable market in Smithfield, which is a covered market, with potato stores and offices for salesmen. The Smithfield Market, which is an open market for the sale of horses, cattle, hay, and straw. The pig market (Smithfield), which is a covered market. The wholesale dead meat market in Jamaica Row, which is a covered market. The wholesale fish market (which is covered) in Bell Street, with vaults and sub-basement, and Gosta Green miscellaneous market (which is an open market). The position of the markets is shown on these maps (*handing them in*).

6102. Are the markets pretty much together?—Yes, with the exception of Gosta Green, which is a market of no importance, the markets are close together; in fact, some of them too close together, particularly the meat market and the cattle market. It would be better if they were further away from the centre of the town. One map shows the markets in relation to the town generally and the other shows them on a larger scale.

6103. Is any of the market business transacted in the streets?—The whole of the market business was transacted in the streets years ago, and the streets are still available for the purpose of markets as far as the traffic permits of their being so used; but since the provision of special and covered markets nearly the whole of the market business is transacted in them. In the early morning some of the streets are still used.

6104. Is it the case that the corporation has expended large sums in developing and improving the markets?—Yes, especially on the vegetable and fish markets; on the vegetable market we expended in 1880 and 1883, 48,270*l*.

6105. In covering it?—Yes, and extending it.

6106. Does that include the cost of the ground?—Some portion of it was corporation property, the rest was acquired by the corporation, and the cost of that is included in the 48,270*l*.

6107. Have you a statement showing the number of carts brought into the markets from which tolls are received?—Yes (*handing it in*). *The same was read as follows:—*

STATEMENT showing Number of Carts brought into the Markets.

Year.	No. of Carts.
1873	73,680
1874	74,272
1875	84,556
1876	94,650
1877	116,137
1878	129,546
1879	118,185
1880	122,753
1881	124,960
1882	151,909
1883	200,000

6108. From that it appears that as between 1873 and 1883 there has been an increase of 136,320?—Yes.

6109. Has a corresponding increase of business taken place in the fish market?—Yes, the business there has very largely developed. The Birmingham fish market is a source of supply for the whole of the midland counties; we have a constant and sufficient supply of fish in Birmingham from nearly every fishing port in the kingdom, which is very good in quality and generally very moderate in price; in fact, it is said that we send fish to the sea-side, at any rate, fish is generally cheaper in Birmingham than it is at places where it is caught.

6110. There is an ice manufactory in connexion with the market, is there not?—Yes; that is a manufactory which has not been established by the corporation, but by private enterprise. The manufacture of ice is carried on in some vaults belonging to the corporation, which were constructed under the market for such a purpose of affording accommodation for such a purpose, and it is a branch of trade which seems to be developing very rapidly. The ice manufactory supplies ice not only for the fish trade but also for the dead meat trade. Large quantities of carcases come in from New Zealand and other places, but we do not get so much of that trade as we ought to do, because Birmingham is rather unfairly treated by the railway companies. The rate from Liverpool to London, I

think, for dead meat is less than the rate from Liverpool to Birmingham for the same article.

6111. (*Mr. Little.*) That rate that you are speaking of from Liverpool to London is for foreign meat, not English meat?—English meat would hardly come that way.

6112. (*Chairman.*) There are no through rates from New Zealand to Birmingham direct?—I think not; the New Zealand mutton comes to Liverpool, and from Liverpool it is consigned to the various inland markets.

6113. With regard to the business transacted in the cattle and horse markets, have you prepared a table showing the amount of stock offered for sale in the Smithfield Cattle Market from the year 1877 to the year 1887 inclusive?—Yes. *The same was handed in, and is as follows:—*

STATEMENT of Stock offered for Sale in Smithfield Cattle Market.

Year.	Horses.	Beasts.	Calves.	Sheep.	Pigs.
1877	5,587	35,378	15,616	113,964	87,001
1878	5,089	39,511	15,478	127,610	85,767
1879	5,243	40,095	14,104	126,525	69,370
1880	4,940	40,761	13,620	121,761	54,635
1881	4,256	35,193	13,465	88,290	56,230
1882	3,890	32,639	12,901	79,650	63,111
1883	3,705	20,883	10,009	56,819	58,176
1884	3,439	23,865	8,141	75,178	63,387
1885	3,354	29,548	11,427	92,481	63,418
1886	3,112	29,290	10,358	71,320	57,785
1887	3,457	29,041	8,185	75,345	74,808

6114. I see there has been a decrease in the number of live cattle; how do you account for that?—I believe it to be due to a variety of causes. The supply first began to decrease when the regulations were established in consequence of the cattle plague restricting the movements of cattle, and there does not appear to have been a recovery. There also seems to be a growing inclination on the part of owners of cattle to have them slaughtered on their own premises, and to sell the carcases to butcher without passing them through the market; but the market is not sufficiently convenient, and it is probable that this cause has a considerable effect in decreasing the supply. It has no railway access, which is a very important matter—it is in the very heart of the town; the roads to it are not good, and cattle have to be driven or carted to it from the railway stations, and, generally, it is not a convenient market; in fact, in several other towns in the midland counties not so important as Birmingham, for instance, Wolverhampton, there are live cattle markets larger and more prosperous than our own, and we have been very anxious to remove our cattle market to a larger site to which we should be able to bring in the railways. A year or two ago we attempted to find a site suitable for the purpose, but it is a matter of extreme difficulty to find a convenient site. I do not know which is the most difficult, to persuade people to move a market or to find a place in which to put it. Some time or other the question will have to be dealt with, but the providing of another cattle market must necessarily be a very costly matter indeed.

6115. Is it your opinion that the dead meat trade will go on increasing?—Yes, and the development of the trade in dead meat undoubtedly tends to interfere with all markets for live cattle, and the trade, according to the opinion of men in the business, is one which is

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likely to increase. We have a dead meat market which is not sufficient in size, and the business in that market has not in any way decreased, but, on the contrary, is increasing, and, in fact, it is a very prosperous branch of trade. We contemplate providing larger accommodation for a dead meat market when we see our way to doing it.

6116. It would be an advantage to have it in the neighbourhood of the railways?—Yes. An important thing would be to have it in connexion with slaughter-houses, so that the animals could be slaughtered and the carcasses carried into the dead meat market close at hand.

6117. You have slaughter-houses in Birmingham, I presume?—Not belonging to the corporation.

6118. Are they licensed by the corporation?—Some of them are, the others are registered. When the local Act which deals with them was passed there were a certain number of existing slaughter-houses which had a vested right which was recognised, and we could not, unless by agreement, terminate their licenses. That has been a great embarrassment to the corporation; many of them are very unsuitable to the purposes of the trade, and, in fact, they are nothing less than public nuisances.

6119. Are they inspected by the corporation?—Yes, we devote a great amount of attention to them; but they are of such a character, and they are in such a position, that no amount of inspection could possibly make them suitable for their purpose.

6120. Has there been a great increase in the accommodation provided for the sale of vegetables and fish?—Yes, those are the two markets upon which the money has chiefly been expended.

6121. You have prepared a table showing the income and expenditure of the corporation on improvement account?—Yes (*handing it in*). *The same was read as follows:—*

“INCOME and EXPENDITURE ON IMPROVEMENT ACCOUNT.

—	Receipts.	Current Expenditure.	Interest and Re-payment of Loans.	Total Expenditure.	Net Current Receipts	Net Receipts
	£	£	£	£	£	£
1877	15,431	5,517	3,239	8,756	9,914	6,675
1878	15,566	6,192	3,344	9,536	9,874	6,080
1879	15,590	5,680	3,890	9,570	9,910	6,020
1880	15,870	5,006	3,962	8,968	10,864	6,902
1881	15,372	5,496	4,438	9,934	9,876	5,438
1882	16,254	5,506	5,786	11,292	10,748	4,962
1883	16,001	4,947	5,899	10,846	11,054	5,155
1884	18,004	4,800	6,627	11,427	13,204	6,577
1885	18,868	5,654	7,822	13,476	13,214	5,392
1886	19,080	6,576	7,585	14,161	12,454	4,869
1887	19,731	8,228	7,610	15,838	11,503	3,893

6122. From that table it appears that the net income of the corporation from the markets has been reduced from 6,675*l.* in 1877 to 3,893*l.* in 1887?—Yes.

6123. How do you account for that difference?—It is by reason of the large expenditure we have gone to in improving the markets, the larger capital charges, and to some extent it is to be accounted for by increased charges in maintaining and repairing the larger markets.

6124. I presume you find in Birmingham, as elsewhere, that these covered markets are considered a great advantage?—Yes.

6125. Especially in the case of perishable articles?—Yes, they are a necessity with our climate.

6126. You have not increased the charges?—No, they have not been increased; they have not been materially varied for many years.

6127. Are the tolls levied in accordance with those specified in the schedules to your Act?—In no case are they higher; in many instances they are lower than those which we are entitled to charge.

6128. What are your sources of revenue?—We derive our revenue from tolls and rents of stalls, the main proportion is derived from rents. In the answers we supplied to you we divide our income under different heads, and we state that on an average of three years ending 1887 our income from tolls was 4,667*l.*; from rents and stallages, 13,853*l.*; other receipts being 113*l.* The larger proportion arises from rents and stallages.

6129. How are the rents fixed?—The letting is according to the value of the standing in the market.

6130. Is not the amount fixed according to the kind of business carried on?—I can hardly say whether that is taken into consideration; it would be more the position in the market than anything else that would influence us in fixing the rents; but we are not anxious, in fact we should be unwilling, to let the whole of our market to permanent tenants for rents. We do not think it desirable to exclude the casual occupancy of those persons who pay tolls. It is an easier way of raising the revenue of the market to let it to permanent tenants, but it has the effect of creating to a certain extent a monopoly of the market.

6131. As a matter of fact you do not remove tenants unless for some good cause?—No; in fact it is very difficult to get rid of a tenant.

6132. The revenue is principally derived from rents of stalls in the various markets, and you believe that is a fair way of raising the revenue?—Yes, subject to the qualification that I should be sorry to see permanent tenancies over the whole market.

6133. You have byelaws regulating the markets?—Yes; I believe we supplied a copy to the Commission.

6134. Is there any difficulty in carrying out your byelaws?—No, not as a rule. We find people are fairly reasonable.

6135. Have you many complaints about the way in which the markets are conducted?—No; it would be perhaps too much to say that we have given perfect satisfaction in every single case, but there have been no serious complaints.

6136. Are there any hawkers in Birmingham?—Yes, there are hawkers within the borough, and the corporation are authorised to levy a license due not exceeding 20*s.* on every hawker in lieu of toll; but we do not exercise that right, in fact they exercise their calling free of any payment to the corporation.

6137. Is there a large number of them?—They are not so numerous as they used to be. We have no means of getting at their number because we do not license them, but there are a considerable number of them. I should think they have been very much crushed out by the competition of the small shops, which are very numerous in Birmingham.

6138. I suppose they are pretty much on the same footing as the costermongers in London?—Yes. I do not know whether the authorities in London charge them anything for toll; we do not.

6139. There seems to be a feeling among the costermongers here that they are being crushed out unfairly?—If they are being crushed out in Birmingham it is simply by the operation of free competition, as they have perfect liberty to carry on their trade without restriction.

6140. The police do not interfere with them?—The police do not interfere with them in the least, and they are not subject to any payment whatever.

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6141. I suppose the tolls that are levied are a very small per-centage on the value of the goods?—A very small per-centage.

6142. In your opinion the tolls levied do not operate at all in increasing the price of articles sold?—I do not see how they can possibly do so. They are very small in proportion to the value of the articles. Take 6 lbs. of butter, for instance, the price of 6 lbs. of butter, even in the market, would be a good deal over 6s., but the toll upon that 6 lbs. is 1d. It is inconceivable that such a toll as that could have any influence upon the price. Take a less favourable instance, take a pot of potatoes, which would be at the present time, perhaps, 2s. 6d., the toll upon that would be, I think, 1d. Then if you go to meat the toll on a carcass of a bull, steer, ox, cow, or heifer is 1s. 4d., which is an inappreciable charge on the whole carcass of an animal; but, as a matter of fact, on dead meat we do not levy anything like tolls amounting to that, as in our dead meat market the ground is let nearly wholly by space, and the rents charged are so trivial as to be indivisible by the number of carcasses sold in it, and that is one of our chief difficulties in improving that market, for people occupying those places are so extremely well off, and derive so much advantage from their occupation, that they do not want to be disturbed even for the sake of having improved accommodation.

6143. Although the corporation by their Act are authorised to levy tolls on all the articles enumerated in the schedule to that Act sold in the streets, in point of fact they do not exercise that power?—They do not levy tolls on any articles unless they are sold in the market or in the immediate neighbourhood.

6144. What would be the limit?—We never collect anything over about half a mile away, usually not so far. There is a little market on Gosta Green, and there may be a few shillings collected there, but it is a market which has been long decaying, and is nearly done with.

6145. Is it the case that formerly marketable commodities were bought and sold at the railway stations?—Formerly there used to be a considerable amount of market business transacted at the stations, and one of the companies, the London and North-western Railway Company, paid us 100l. a year in commutation of toll, but they have now discontinued that payment on the ground that since the borough markets have been made adequate the business formerly transacted at the stations has ceased to be transacted there. That of course is advantageous, as there are considerable objections to markets being held in railway stations which are not absolutely free of access to everybody.

6146. The railway companies have discontinued that payment because the market business formerly done at the stations is no longer productive of profit to them?—They say so. Sales formerly took place at those stations to a considerable extent. Now they say no business is done at all. We have made inquiry and we think their statement is well founded; virtually very little business is transacted in the railway stations.

6147. Is the system of selling cattle by auction carried on to any extent?—Not cattle; it is in the case of vegetables to a considerable extent.

6148. Is that increasing do you think?—I can hardly say that it is increasing. A good many dealers sell by auction.

6149. Does the corporation provide inspectors for the markets?—Yes, we have inspectors who inspect everything offered in the markets, and also all meat offered throughout the town by the butchers; we get through that portion of our work very easily, because we have a local regulation or arrangement which materially facilitates our operations. Years ago a good deal of ill-feeling used to arise where articles were seized as being unfit for food; it is a burning question with butchers and fishmongers as to when meat or fish is unfit for sale and when it is not. At the suggestion of a member of the corporation the plan was adopted of choosing out of each trade a jury

to deal with cases where the person to whom the meat or fish belonged insisted that it was fit for food though seized. On the application of such person the articles seized are inspected by a jury of his fellow traders, and we find in nearly every case the verdict of the officer is confirmed.

6150. Where an article of food has been condemned by your officer if the party selling the article feels himself aggrieved he can call upon this jury?—That is so.

6151. And, as a general rule, you say the condemnation of your officer is confirmed?—Yes. The result of that is that, knowing they have the power to call in a jury, they do not do it, and we hear no more about it. The system works very well indeed; we have a fresh jury nominated every year. The way we manage it is this. There are associations in Birmingham, one representing the butchers and one representing the fish and game dealers, and at a certain period of the year, after the November elections, we write to them and invite them to send in a certain number of names for us to select from, and from those names so sent in we select a jury for the year.

6152. That is all done by arrangement and not by any byelaw or under any Act of Parliament?—It is by agreement.

6153. Are the parties pretty well satisfied with the arrangement?—Yes; it certainly works admirably.

6154. Would you be in favour of the corporation having slaughter-houses of their own and compelling butchers to go there?—There is no doubt it would be very advantageous to the general public; it is one of the alterations and improvements which, perhaps, is more required than anything else in Birmingham, where in the very heart of the population there is a nest of slaughter-houses which are simply public nuisances, crying scandals, and no amount of alteration and improvement that we could call upon the occupiers to make would abate the nuisance; nuisance must necessarily arise in slaughtering cattle in slaughter-houses in a central position and inadequate in size. The number of cattle slaughtered is vastly in excess of the accommodation provided; they kill day and night.

6155. (Mr. Charrington.) From your experience of the working of these markets in Birmingham do you see any way in which improvements might be made in the system of working them?—No; I think they are worked fairly well. I think they afford a very valuable means of supplying the population with articles of food.

6156. You said there was a deficiency as regards slaughter-houses?—Undoubtedly the slaughter-houses are inadequate. The corporation as soon as they have the means will, no doubt, establish a new dead meat market, and establish public abattoirs in connexion with it outside the town; but that would be a costly business. The acquisition of a site is the chief difficulty in connexion with the establishment of abattoirs; and then the question would arise whether they would be sufficiently used by the butchers to make them pay? Butchers will not use abattoirs outside the town as long as they have slaughter-houses in the centre of the town; therefore, I think when public abattoirs were established by the public authority, away from the centre of the town, the private slaughter-houses should be closed by law. That, I believe, is the law which obtains abroad; for instance, in Dresden and all through Prussia when the public authority establish abattoirs every butcher is required to close his own private slaughter-house.

6157. Are you aware whether the officer of health in Birmingham considers the present system of slaughter-houses detrimental to health?—Undoubtedly. I am also a member of the health committee, and we are constantly making efforts to mitigate the nuisance and danger to health.

6158. It is considered by the medical officer to be injurious to health?—Most injurious. A slaughter-house is a place which it is extremely difficult to

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manage so as not to be a nuisance, even if constructed in the best manner possible.

6159. Taking the cattle to those places also causes great inconvenience to the traffic?—Yes, the access is generally up a narrow street; the cattle are knocked about; they have been kept without water most probably for some time, and being driven up and down the streets as they are makes them half mad.

6160. In your Smithfield Cattle Market are the cattle supplied with water?—Yes.

6161. (*Chairman.*) Are you of opinion that markets, as a rule, should be in the hands of the local authorities?—Undoubtedly, I think they are the proper people to have charge of the markets. Markets differ very much in different localities; but I should think there is no doubt that in every case they would be better dealt with by the local authority than by any other method.

6162. (*Mr. Little.*) The powers of the corporation of Birmingham are not the general powers possessed by all corporations, they are special powers given by their local Act, are they not?—We have a special Act, but it incorporates the Markets and Fairs Clauses Act.

6163. In answer to Question 10, under the head of expenditure, I find "rents, rates, and taxes, 1,609*l.*," are any of your markets hired?—The larger portion of that 1,609*l.* is rates; nearly all of it. A small portion of the dead meat market is held on lease from the Governors of the Free Grammar School, but that is a very small matter.

6164. In answer to the next question, in giving the average amount of gross receipts for three years, you put rents and stallages together, would those rents include any shops or taverns?—We have two market inns.

6165. You have no great number of ordinary shops?—No, we have two inns, and we have, perhaps, half-a-dozen shops which are utilised in connexion with one of the markets for selling such things as are sold in the market.

6166. You have no drapers' shops, for instance?—No, no general shops. Our rents altogether, other than market rents, certainly, would not amount to more than 800*l.* or 900*l.*

6167. In answer to Question 14, which is whether any records are kept of the prices of commodities sold in the market, it is stated that the prices of commodities sold in the market are published in the newspapers after every market day, how are those prices obtained?—They are obtained by the officers of the market, who collect the information, I suppose verbally, from the dealers.

6168. The information so obtained and published in the newspapers cannot exactly be called a record. A record is a statement of actual transactions?—You would go to a dealer and ask him: What prices are such and such goods fetching to-day, and he would give his general estimate.

6169. There is no record of the quantity of any goods sold at a particular price?—No.

6170. Have you any corn market?—We have a corn exchange not belonging to the corporation—it is a private speculation.

6171. Have the corporation considered the question whether when the cost of the markets has once been paid the tolls should simply cover the cost of management?—I do not know that I can say that the corporation have ever expressed an opinion upon that question, because the contingency to which your question points is so very remote that I suppose we should consider that we might deal with it when it came up; but still as an abstract question I do not think it would be at all desirable. We are of opinion that the tolls, rents, &c. levied in the markets should not be fixed solely with the view of raising the highest possible revenue. We are not, however, prepared to assent to the proposition that the tolls, rents, &c. should be determined exclusively by reference to the capital expenditure upon the markets, and should therefore be entirely abolished when that

expenditure has been recouped out of the market revenue. It would be extremely difficult, if not altogether impracticable, so to proportion rents, tolls, &c. as to exactly cover charges, and from the fluctuating character of the income from markets it would probably be always found necessary to provide a considerable margin for contingencies. The establishment of free markets, if practicable, would also be open to the further objection that it would give an unfair advantage to traders using the markets over those engaged in similar occupations in other parts of the town, who would be liable to rents, rates, and taxes from the payment of which those traders using the markets would be entirely relieved. This difficulty would be aggravated by the fact that many of the latter are not inhabitants of the town, or in any way liable to contribute to municipal obligations, while the former class are necessarily resident in the town, paying rates, and in many other ways contributing to its prosperity. In reference to the suggestion under consideration, it is further to be remarked that if adopted it would in many cases seriously hamper the local authority in the work of developing and increasing the markets when required. To meet the demands of an increasing population the expenditure of large amounts of capital on the establishment of new markets, or the extension of existing ones, is frequently requisite. This capital expenditure is often for an indefinite period wholly or in part unproductive, and any loss arising in respect of it would fall upon the general body of ratepayers, upon whose credit municipal loans are raised. If it were laid down by statute that tolls, rents, &c. should in no case exceed the charges on the markets, it is to be apprehended that the ratepayers would be in many instances unwilling to sanction expenditure which involved a risk of loss without the possibility of profit. For this reason in the opinion of the corporation such an arrangement would be likely seriously to obstruct the necessary development of municipal markets, and thus create an evil much more considerable than any which can arise from the tolls, rents, &c. now levied. The tolls levied in the markets of Birmingham bear in every instance but a trivial proportion to the value of the articles upon which they are paid, and it is probable that their entire abolition would not appreciably cheapen the cost of the commodities to the consumer; but, on the other hand, it is obvious that any inadequacy in the markets themselves tends to the creation of a monopoly which is in restraint of trade, and likely seriously to prejudice the general public. We think that the proper course to pursue can only be determined by reference to the particular circumstances of each case as it arises, and we are therefore of opinion that it would be undesirable that any invariable rule should be laid down by law, but that the matter should in all cases be left to the local authority to determine.

6172. The corporation are satisfied with the existing law?—Yes, I am not aware that any serious alteration is desired at the present time.

6173. (*Sir Thomas Martineau.*) The net profits have decreased between 1877 and 1887 largely, as you told us, from the increase of the amount payable for interest and sinking fund on capital outlay?—That is so.

6174. Then you mentioned that a further expenditure would probably be necessary with reference to the cattle market and the dead meat market?—Yes.

6175. Do you think that, for a time at all events, it is probable that when that extension of your markets took place there would be a further diminution in the profits of your markets?—I should think it is quite certain that there would be. You cannot establish a large market and expect such a business to come to it immediately as would entirely cover the cost of it. I went carefully into the matter some time ago when we proposed to move the markets, and the conclusion I came to was, that undoubtedly for a term of years, which one can hardly define, there would be a loss to the corporation of some thousands a year. The loss

might be even larger and possibly permanent. The establishment of a market is a great speculation; it may hit the public want and take the trade of the whole district, or it may not; there is an element of speculation, independently of anything else, in it.

6176. In view of that probability, do you think it would be an imprudent thing to give away the present profit of 3,800*l.*?—I do, indeed. If we were to attempt to reduce our tolls, so that there would be virtually no balance over the amount required for interest and maintenance, I think it would be absolutely impossible that the markets of the town could ever be further extended. It is extremely difficult to persuade the ratepayers to spend large sums of money on markets.

6177. A large reduction of tolls so as to dissipate this profit would have the effect of preventing the extension of the markets?—Undoubtedly it would.

6178. (*Mr. Charrington.*) If all market rights were done away with, so that any individual would be at liberty to start a market if he thought proper, do you think markets would be established by private individuals?—It is difficult to say. It is quite possible that in some districts markets on a limited scale might be started; but they would not be on a very large scale, because any persons so starting a market would find it very difficult to obtain a site of sufficient area to make a large market; it is possible that a very limited market might be so established, but it would not be a market worthy of the name, and I do not think it would answer, because I notice in Birmingham that the tendency of all the business is to gravitate to a large market. The market at the railway stations is an instance in point; one would have supposed that with all the advantages that there are at a railway station if a small market would succeed anywhere it would have been a success there, but as a matter of fact, notwithstanding that the dealers were absolutely free from all payment of tolls or rents (which they would not be in a private market), the business at the stations has entirely ceased.

6179. (*Sir Thomas Martineau.*) You have given us very good reasons for coming to the conclusion that if the tolls were considerably reduced the effect would not be really to lessen the price of commodities to the consumers. Suppose they were so reduced as to take away from you the whole of the 3,800*l.* profit, to whom would that money go?—I think there is no doubt it would go into the pockets of the sellers. From one of the returns I have handed in you will see that the total receipts of the corporation in 1887 were 19,731*l.*, and the net receipts which would be available for the reduction of tolls were 3,893*l.* Then we will suppose that we proceeded so to reduce the tolls as to give away the whole of the net receipts, it would in that case be possible to reduce the tolls and

rents something like one fifth—20 per cent. Turning to the schedule of tolls, it will be found that it would be almost impossible to apportion such a reduction as that upon those tolls. For instance, take the instance I quoted—butter; how are we to take off a fifth of 1*d.* on 6 lbs. of butter? We could certainly take a fifth off 1*s.* 4*d.*, which is chargeable upon a carcass of a bull, steer, ox, cow, or heifer; but supposing we took 3*d.* off, it is inconceivable that it would ever reach the consumer—it is such a small tax. A small tax of that kind always stops with the person who pays it first, as everybody knows by their own experience even in larger taxes than that. I do not think the tolls have any influence at all in fixing the price to the consumer. I do not see, as a fact, that they do, and I do not see, as a matter of theory, that it could be expected that they would. Traders in our markets compete with other people engaged in similar occupations outside the markets, and it is obvious that prices must be determined by the ordinary laws of supply and demand. The rates and tolls they pay are not an element in the cost of the thing they sell. If a man occupies his own manufactory or shop, he does not sell his goods any cheaper than a man who pays rent. The question whether he pays rent is only a question that affects the distribution of the amount that is paid for the article—it does not affect its amount. The rent of agricultural land does not raise the price of agricultural produce.

6180. There have been occasions in my own recollection where there have been disputes between the market committee and persons dealing in the market and where it has been necessary to take the case to the magistrates; you probably remember such cases?—Yes.

6181. Has it been found that that is an easy remedy without much expense to any of the parties?—Yes, we have had one or two difficulties, in my recollection, in the last five or six years. They are very readily dealt with by the magistrates.

6182. There has never been an appeal that you know of?—No, both parties have rested content. I remember one case that went wholly in favour of the corporation, and I remember another case which was decided partly in favour of the other parties, in which case the corporation let the thing drop and accepted the decision.

6183. (*Mr. Charrington.*) Are the markets considered adequate to the wants of the community?—I cannot say that the cattle and dead meat markets are in any way adequate; they are not adequate and they ought to be enlarged, and the corporation will be glad to enlarge them as soon as we can, but we shall never do it if Parliament takes away from us the balance of our income.

Adjourned.

At No. 32, Abingdon Street, Westminster.

TWENTY-SIXTH DAY.

Thursday, 21st June 1888.

PRESENT :

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR THOMAS MARTINEAU.
MR. CHARLES I. ELTON, Q.C., M.P.
MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. WILLIAM C. LITTLE.
MR. PIERCE MAHONY, M.P.

MR. HENRY A. P. ROOKE, *Secretary.*

Mr. BECHER TIDD PRATT examined.

6184. (*Chairman.*) You are the mayor of Newark, are you not?—I am.

6185. Is there any feeling in the borough of Newark, so far as you are aware, on the subject of

markets?—So far as the inhabitants of Newark are concerned, we claim, as inhabitants, to be free of toll altogether, in Newark and throughout the kingdom, under charter of Charles II.

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6186. Will you explain what you mean by the expression, "throughout the kingdom"?—King Charles I. granted us a charter (of which I have a copy here) giving us privileges; and then the inhabitants lent him a large sum of money, and he was going to increase the privileges under our charter; but he died before he could so. Then Charles II. granted a fresh charter, and in that charter he granted and confirmed "to the said mayor and aldermen of the said borough and their successors, that they and their successors, free men and inhabitants within the said town of Newark upon Trent, and the liberties and precincts thereof, and every and each of them, shall come and be free and quit of and from all tolls, customs, passages, or costs, ponage, pinage, and stallage, and of all customs throughout our whole kingdom."

6187. I think we had better ignore the promise that was given by Charles I., because that was given, I observe, in the middle of the civil war, and he was never in a position to fulfil it?—He was not. But the charter of Charles II. recites that charter of Charles I.

6188. It is the charter of Charles II. upon which you rely?—Yes.

6189. That charter, we understand, was afterwards attacked?—It was attacked by James II., when he wanted to deprive the burgesses of Newark of the power of sending up two members of Parliament; but that went before the House of Commons, and the charter was confirmed by a vote of the House of Commons.

6190. That dispute, as I understand, was only in regard to the validity of the charter where it concerned the elective franchise?—That is all.

6191. But you contend that if that charter was good in that respect, it was good in every other respect?—Yes. As a fact, some of the inhabitants of Newark, not knowing that the mayor for the time being was clerk of the market, and could place the stalls where he liked, have gone on paying tolls because they had occupied one place for a great many years, and did not want to be put out of that one place. But it is the mayor who, for the time being, is the clerk of the market, who is empowered to tell them where to stand. The words of the charter are very similar to those of the charter which was fought, as your Lordship will recollect, when the Great Eastern Railway Company tried to establish a market against Mr. Balch. Vice-Chancellor Bacon granted an injunction in that case, and that injunction was confirmed by the House of Lords.

6192. (Chairman.) We understand that the Crown parted with its property in the manor of Newark some 50 years ago?—Yes, the Crown in the year 1836 put up the property for sale, and one of the lots was: "the manor of Newark and also the profits of two fairs yearly kept within the said manor, one at the feast of St. Andrew, and the other at St. Mary Magdalen, together with the piccage and stallage of the said fairs, and also the profits of all other fairs or markets that may be kept within or belong to the manor, and the tolls thereof, and likewise the tolls and dues to the said manor belonging." They did not sell it in the year 1836. They put it up again in the years 1837 and 1838, and they left out these words: "and also the profits of all other fairs or markets that may be kept within or belong to the manor, and the tolls thereof." The legend or supposition handed down from time to time among the inhabitants of Newark is that the Crown was advised that it had not a right to sell the profits of these other fairs and markets, because it could only sell the tolls payable by any one who came from the country to the markets, and was not an inhabitant of Newark.

6193. At any rate, these tolls and profits of the fairs and markets within the manor, whatever they may be, have never been parted with, and I suppose they belong still to the Crown?—The lessee of the Duke of Newcastle collects the tolls under some grant

from the Crown, I believe, but not being concerned for the Duke I cannot speak as to that; that is to say, he collects the tolls from those who pay them; those who do not pay them do not suffer.

6194. Then the position is this: that the Duke of Newcastle claims a right to toll, and that he enforces his claim so far as to receive toll from those who are willing to pay, but that he has not tried to assert it legally?—No, he has never tried that; and I think that after the meeting we had a few days ago, a great number of people knowing that the clerk of the market can place them where he thinks fit, will refuse to pay altogether. There used to be an old bridge over the river Trent, maintained by the lessee of the Crown, the then Duke of Newcastle. He, being the lessee, found it so expensive to keep up this bridge, that he built a brick and stone bridge. The inhabitants of Newark, when this was built, claimed exemption from the toll, and it was given by the Duke in a letter addressed to his attorneys, dated the 7th of March 1722. I may say that the bridge is now kept up, one half by the county and the other half by the urban sanitary authority.

6195. Can you explain why the Crown did not, when they sold the manor and all that belonged to it, attempt to sell the profits of the ordinary markets?—I am too young a man to remember that; but I asked the question of one old man about eighty years of age, who has just died, and he replied that it was always said in Newark that they found they had not the power to sell as against the inhabitants, and they did not think it was worth while to put up the other toll at all.

6196. But it does not seem that any step has been taken, either by the Duke of Newcastle as claiming toll, or by the mayor on behalf of the municipality, or by the public, to ascertain what the real legal position is?—Some of them have refused to pay, and they have never been summoned before the magistrates. Of course the reason that they have not been summoned before the magistrates is that a question of right would spring up, and the expenses of having the point in the Queen's Bench would perhaps eat up the capital value of the tolls.

6197. I suppose the tolls are on a very small scale?—Very small.

6198. But although you come here to have the matter cleared up, it does not seem that you have taken the first step to ascertain how it stands, namely, testing your legal rights?—We have tested it so far. One of the parties is a client of mine, and I advised him not to pay, and he has never been summoned. That is the first step. If they summoned anyone who did not pay, then I have no doubt there would be a subscription got up in the town to fight the question.

6199. The tolls are let, I apprehend?—The tolls are let to a gentleman of the name of Burnaby, who was solicitor to the Duke, but has now retired from practice. They are only let from year to year, not on lease.

6200. Do you know the amount of them?—I should say that the whole of the tolls together, after paying expenses, do not come to more than £100. or 500.

6201. Then, in point of fact, an expensive law suit would swallow up the capitalised value of them?—Undoubtedly.

6202. Is there anything else that you wish to put before us?—I have here full answers to the questions that were sent to us.

6203. The market, we understand, is an open market, held in the market place, and for all sorts of goods?—Yes. The first question is: "What is the name, situation, and nature of the market, and what are the principal articles sold?" Our answer is: "Newark on Trent market place; a market for sale of fruits and vegetables of all descriptions, meat, cheese, fish, clothing, boots and shoes, and a general market." The second question is: "What is the name and address of the present owner of the market?" "The third question is whether the

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"rights have been leased by the owner, and, if so, the name and address of the lessee?" Our answer is: "The soil of the market place belongs to the Corporation, but it is alleged that under a charter granted by Charles II. the inhabitants are 'free and quit of and from all tolls, customs, passages, or costs, ponage, pinage, and stallage, and of all customs throughout our whole kingdom.' The Crown in the year 1838 sold the manor of Newark and its rights to the then Duke of Newcastle, who has let the profits to one Mr. Burnaby as a yearly tenant." The fourth question is: "On what days is the market held?" Our answer is: "Wednesday, all day, and Saturday evening." The fifth question is: "What market accommodation has been provided, and by whom?" Our answer is: "Mr. Burnaby provides the stalls for all who do not find their own, and charges double fees for doing so." The sixth question is: "To what extent are the markets held in the open streets, and how long have they been so held?" Our answer is: "The markets are held in the market place, and in a street called Castle-gate, but on fair days (two in the year) the fairs are held in the principal streets, and a charge is made for stallage." The seventh question is: "What officers are employed in connexion with the market?" Our answer is: "Only the collector." The eighth question is: "Is the cost of the removal of refuse and cleansing of the streets in connexion with the holding of the market borne by the owner of the market, and, if not, by whom is it borne. If borne by the sanitary authority what is the estimated annual expense?" Our answer is: "It is cleansed by the authority, but Mr. Burnaby pays 7*l.* a year towards the cost." The ninth question is: "What are the tolls, rents, and stallages which are actually levied, and how long has the present scale been in force?" Our answer is: "The amount charged for stallage depends principally on the space occupied: 1*d.* for each bag of potatoes, hamper of apples, pears, and plums. Persons finding their own stalls pay from 4*d.* to 1*s.* per week, and double on fair days. Persons selling crockery and such like pay from 1*s.* to 1*s.* 6*d.* per week, and double on fair days." Then I go to the eleventh question, which is: "Are any records kept of the prices of commodities sold in the market?" Our answer to this question is: "No." The twelfth question is: "Within what distance and during what times are the market rights enforceable on the sale of goods outside the market buildings?" Our answer is: "The boundaries of the borough." The thirteenth question is: "To what extent are sales on market days, otherwise than in shops and in the market buildings, prohibited?" Our answer is: "Not at all. By a recent private Act of Parliament 48 Vict. c. 16, a cattle market is held just outside the borough, and certain charges are authorised." The fourteenth question is: "Is there any regulation of the market requiring any transactions to be made through particular agents, factors, or brokers?" Our answer to this is: "No." The fifteenth question is: "From what districts do the articles sold in the markets come, and is there any restriction in this respect?" Our answer is: "Ten to fourteen miles, but this would more particularly affect potatoes; the other articles come from within a radius of four miles. There is not any restriction at all." The sixteenth question is: "To what extent, if at all, have the market rights, tolls, dues, rents, stallages, and dues and tolls affecting the market town, been complained of as restrictive of trade?" Our answer is: "We have never had any complaints." The seventeenth question is: "Has the present accommodation afforded by the market been complained of as insufficient and unsuitable for the local trade?" Our answer to that question is: "No." The eighteenth question is: "What are the views of the local authority as to the prohibition or regulation of the leasing of tolls?" Our answer is: "The authority think that the tolls should not be allowed to be leased to any one, but should be in the hands of the

authorities." The nineteenth question is: "What are the views of the local authority as to the expediency of placing restrictions on the sale, outside the market buildings, of goods that may be lawfully sold in the market?" Our answer is: "If the markets are in the hands of the authorities, they would like to have the power of compelling persons to sell certain goods therein as long as there was room in the covered market, and so freeing the market place." The twentieth question is: "Are the local authority in favour of obtaining compulsory powers to acquire market rights?" Our answer to that question is: "Yes." The twenty-first question is: "What alterations, if any, in the existing law relating to markets do the local authority consider desirable?" Our answer is: "We think that any legislation should be in the direction of vesting the sole control of the market in the local authorities, and the levying of the tolls should also be in their hands, so that they might be used for the good of the town, and so lighten the rates. We have a market which we built about six or seven years ago, and the authority wished to acquire the market rights. I may say that the last fair was held on the 8th or 10th of May, and even now the market place has not been repaired by the lessee, but the stones are all up."

6204. What would be your wish with regard to these markets; would you desire to have them in the hands of the Corporation?—Certainly, because then we should repair these pickages and stallages at once under our own officer.

6205. Have you taken any step to purchase these rights?—An attempt was made some years ago, but the Duke of Newcastle was under age, and the trustees could not grant a lease for more than seven years, and that they offered us at 120*l.* a year. Then we tried to negotiate with the lessee to buy out his right, and he would not sell unless he got 1,000*l.*; but as he was only a tenant from year to year we did not see the force of giving him the capital which represented his tolls.

6206. When were these attempts to purchase made?—I should think about five or six years ago.

6207. And the matter has not been taken up since?—No.

6208. The owner of the market is now of age, and could deal with it?—Yes, and I have no doubt he would deal with it now. He is selling a lot of his Newark property. But if, as we assert is the case, he cannot demand any toll of the inhabitants of Newark, the urban sanitary authority, who represent the inhabitants, would not negotiate with him for the purchase of what they consider to be their own rights. We should want to know what was got from outsiders, and negotiate on it; and probably that is the rock we should split on.

6209. But considering the doubt that exists as to the extent of the rights which belong to the owner of the market, and considering that the sum is so small that neither party seems to have thought it worth while to go into a law suit to determine those rights, it would seem that under these circumstances both parties might be willing to compromise the matter?—I am afraid that in a small place like Newark the persons of whom the town council is mainly composed would object to any expenditure for this purpose, especially if they were going out of the council that year, the object being to keep down the rates. When they first come in for three years they are more amenable.

6210. You mean that you think there would be strong opposition to any expenditure?—To any expenditure beyond the value of the outside tolls.

6211. (*Sir Thomas Martineau.*) If the markets came into the hands of the town council, do you think that there would be an improvement in the matter?—I am quite sure there would. We should first of all improve the present market that we have. The great mistake, as I understand, that they made in it is, that there are two doors without any covering

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between them, and that runs right under the town hall through the butter market, so that anybody who has stalls there is in a thorough draught. If we made that (*describing it*) perfect we could drive anybody out of that other place. The market cost 2,800*l.*, but the alteration I suggest would not cost much, and the overflow might go to the market place.

6212. Then you would have the streets clear?—Yes, on the market day in the principal streets they put out stalls, and two carts cannot pass, and some day we shall have a tremendous accident there.

6213. Are the tolls complained of as to their amount?—No, not at all.

6214. Should you levy the same kind of toll, if you had it, in your own hands?—We should not allow any stalls at all in the streets as streets. In the market place we should. We should charge probably the same amount of tolls, because we should charge them to the outsiders. We should not charge our own inhabitants, because under the charter we are free. We should charge anybody who came from the country on market days.

6215. (*Mr. Little.*) If you built a covered market for them would you charge?—We have built a covered market already; but in consequence of there being a thorough draught through it, and its being badly built, people prefer to stand in the open market.

6216. If you made a proper market, do you think you would be justified in charging them?—We should charge them for the stalls and shops up and down the market, but not stallage.

6217. Do the present arrangements injure the market, and prevent its being developed?—I think so. I think that we should have had it more developed if it was in our own hands.

6218. (*Mr. Maclean.*) Is there much feeling amongst the townspeople about the tolls themselves?—The tolls themselves they consider to be entirely unfair, and they think that they ought not to be levied.

6219. Those are the inside tolls as opposed to what you call the outside tolls?—As to the inhabitants themselves they think there ought to be no toll upon them; but anybody coming in from outside they think ought to pay toll.

6220. What they think in fact is, that looking to the terms of the charter, the inhabitants ought to be free from toll, and nothing ought to be paid to the Duke?—Nothing at all.

6221. Have any complaints been made as to the way in which the market is carried on?—There have been complaints, as I mentioned, that the man who collects the tolls puts four or five people in a most disadvantageous place in the market because they will not pay the tolls. But if they apply to me next Wednesday I shall place them in a different position altogether, because I am the clerk of the market. Nobody has ever complained to me till recently.

6222. Have you recently become the clerk of the market?—I am clerk of the market under the charter of Charles II., by virtue of my office as mayor.

6223. But beyond the fact that a preference is given to those who pay toll over those who refuse to pay you have no complaints?—No, we make great complaints of the market place being pulled up, and not being put into repair by the lessee. In fact, one day they drove the middle stake of one of the merry-go-rounds right through a shopkeeper's cellar, and that part of the market nearly sunk.

6224. Was that done by the market authorities or by their license?—It was done by the license of the lessee.

6225. I should think somebody might have some remedy over against him?—There was an action, but it was compromised. That we did think worth fighting.

6226. (*Mr. Charrington.*) I think you said that, apart from the tolls, there was no actual complaint of the working of the market?—No, only of this preference being given to those who will pay tolls over those who will not.

6227. May we understand that the lessee is bound to repair the market?—Yes.

6228. And that on an annual holding?—Yes.

6229. Is he unwilling to do it?—He takes a long time to do it, but it is done eventually.

6230. Does the business at your market increase?—It had increased very much up to the time of the agricultural distress setting in, but it has not increased of late.

6231. Is it a market for live cattle?—The cattle market is just outside the borough; it used to be in the borough.

6232. (*Mr. Elton.*) Have there been any proceedings by way of distraint for these tolls?—Never.

6233. Has it been suggested to you that that difficulty about the charter might be got over by arrangement between the parties on a writ in a special case without any great expense under the new rules?—No, I do not think so.

6234. The charter of Charles II., you say, made the mayor the clerk of the market; did it contain any other provisions about the market?—The clerk of the markets was to take the profits and use them for the behoof of the town.

6235. He was to take the profits of what?—"All manner of amerciaments, and fines, forfeitures, and profits there arising."

6236. You say that the mayor was made the clerk of the market; were there any other provisions about the market? Did it say that there should be a market? How did it come that it mentioned the market? Is there a clause saying that the mayor shall be the clerk of the market?—Yes, the clause is as follows:—"And we have granted further, and by these presents, for us, our heirs and successors, grant to the said mayor and aldermen of the said town of Newark upon Trent, and their successors, that the mayor of the said town for the time being may and shall be for ever hereafter a clerk of the market of us, our heirs and successors, within and throughout the said town and parish of Newark upon Trent, and the liberties and precincts thereof, that the mayor of the said town for the time being may do and execute, and is hereby enabled to do and execute, all and every thing which belongs to the office of clerk of the market, there to be done, and to do and perform all other acts and things, which to that office within the said town and parish belongs to be done and performed."

6237. That shows that there was a market existing at that time and not merely these fairs?—Yes.

6238. That second bridge which you spoke of, that was built in 1722, I presume, is partly outside the liberties of Newark?—One half is in the borough and the other half is in the county. We divide in the middle of the bridge.

6239. That would perhaps account for the toll not being leviable. Has it not been suggested to you in the town that that clause about being free and quit of toll is a clause relating to a manor being ancient demesne of the Crown, and that it extends to freedom from tolls in other parts of England and not in the manor itself?—No, our charter applies to the whole kingdom, and does not simply apply to the manor of Newark.

6240. It has not been suggested to you that it is because it is an estate of ancient demesne, which has the privilege, as I daresay you know, of not paying tolls in other parts of England?—It has not been suggested to us. The other charters do not go so far as to say "throughout our whole kingdom," even though they are old demesnes of the Crown. Among the State Papers there is one dated May the 29th, 1609, which will show how old the market is. It is a petition of the Aldermen, &c. of Newark to Lord Salisbury for decision on a Bill exhibited against them in the Exchequer by the late Countess of Rutland, and now by Lord Burghley, concerning rights of toll and stallage in the market of Newark, and order thereon.

6241. Do you not think that it would help you to interpret this difficulty if you found it laid down that the inhabitants of ancient demesne were always free of toll throughout the kingdom?—I will consider it.

6242. (*Chairman.*) It is now some years since you made any attempt to settle the matter between the Corporation and the owner of the markets?—It is some five or six years since we negotiated. I have very little doubt that if the Duke of Newcastle's trustees had had the power of sale, as the Duke has now, we should have come to terms with them to buy.

6243. Would not the first step in any negotiation of that kind be to ascertain what your respective rights are, to know what you are buying, and what you are selling?—Some of the members of the Corporation consider that the rights are defined, and we consider it rather singular that the owner does not take some steps, not only to assert his rights, but actually to attempt to carry out his rights. We have the same question under this charter as to fisheries, and we are now fighting that.

6244. But if the owner of the market does not care legally to assert his right, that would probably point to a willingness on his part to part with it at no very great cost?—Then, as I have already stated, the difficulty would arise as to the price, because there are the outside and the inside tolls.

6245. In short, you think you have a right to use the market for nothing and you want to get it for nothing?—We have a right to get the inside tolls for nothing; and I should not be surprised, now this has cropped up, if a great many people refuse to pay.

6246. (*Mr. Charrington.*) How did the Duke of Newcastle become absolved from maintaining the bridge over the Trent?—There was an Act of Parliament obtained, dated the 8th of June 1837 (7 Wm. IV. c. 15.) There was a feigned issue tried to see whether the Crown were, or were not, liable to repair; and the result of that was that the Crown were held liable to repair, but it has since been thrown half on to the county and half on to the inhabitants of the borough.

The witness withdrew.

Mr. W. T. McGOWEN examined.

6247. (*Chairman.*) We understand that you are the town clerk of Bradford?—Yes.

6248. Can you tell us how the market rights of Bradford were originally derived?—The first charter was granted in the reign of Henry III. In the 53rd year of the reign of that sovereign, he, by letters patent, dated at Merton, granted to his beloved valet Edmund Lacy that he and his heirs "for ever *should have one market every week on Thursday* at his manor of "Bradford in the county of York unless this market "should be to the injury of neighbouring markets."

6249. What was the next charter?—The next charter was granted in the 22nd of Edward I., in the year 1294, by which that King willed and confirmed that Henry de Lacy, Earl of Lincoln, and his heirs for ever, *should have a market on Thursday in every week within his manor of Bradford*, in the county of York, and a fair in every year for five days' duration, that is to say, on the eve and on the day of St. Peter ad Vincula, and for three days following, with all liberties and customs to such market and fair belonging, unless the market should be to the injury of neighbouring markets.

6250. When was the next charter granted?—The next charter was granted in 1398 by Richard II., in the 23rd year of that King, to John Marquis of Dorset (who was eldest natural son of John of Gaunt, Duke of Lancaster, and legitimated by Act of Parliament. 15 Ric. 2, created Marquis of Dorset, 1397) and Margarete his wife, and their heirs for ever, at the town of Bradford, in the county of York, one fair on the eve and the day of St. Peter ad Vincula, and for one day following, *and one market at the same place every week on Thursday*, with toll, stallage, piccage, tenage, and all other customs and franchises to fairs and markets belonging, unless such fair and market should be to the injury of neighbouring markets.

6251. What was the date of the next charter?—The next charter was in the reign of Edward IV. The King grants to "His Most Reverend Fathers "Thomas Cardinal Archbishop of Canterbury, and "Thomas Archbishop of York, the Venerable "Fathers Richard of Salisbury, Robert of Bath and "Wells, William of Durham, and John of Lincoln, "Bishops, His Most Dear Cousens, Henry of Essex "and Ryvers, Earls, His sincerely beloved William "Lord of Hastings, and John Lord of Dyrham, and "to his dear and faithful Thomas Burgh, William "Parre, and Thomas Montgomery, Knights, John "Gunthorp, Clerk, and William Hase, our Learned "Sergeant at Law, the Feoffees of the Lordship of "Bradford, in the county of York, parcel of his

"Duchy of Lancaster, that they, their heirs and "assigns, *should for ever have one market every week "on Thursday* at the town of Bradford, in the county "aforesaid, and two fairs there every year for ever, "both of them to last for three days, to wit, one of "them in the day of the Feast of the Deposition of "St. William of York, and in two days preceding, "and the other of them on the day of the Feast of "St. Peter, which is called 'in Cathedra,' and the "two days preceding, unless this market and these "fairs should be to the injury of the neighbouring "markets, and of the neighbouring fairs of those "parts. Wherefore the King willed and firmly "commanded that the said Feoffees, their heirs and "assigns, for ever should have the aforesaid market "and fairs at the town aforesaid, with all liberties "and free customs to such markets and fairs pertain- "ing, unless, &c. And further of our more abundant "grace, We will and grant for us and our heirs, to "our Feoffees aforesaid, that all our liege and faithful "people whomsoever coming to the market aforesaid, "and there abiding, and to their homes returning, to "pay any tolls, stallages, or tributes to us or our "heirs for any grain, flesh, meat, fish, or any victuals "whatever, by them or any of them bought or sold in "the market aforesaid by us, or our heirs, bailiffs, "constables, officers, or ministers of us, or of our heirs "whomsoever, or by our Feoffees aforesaid, their "heirs or assigns, their bailiffs, or ministers whom- "soever in anywise shall not be compelled, forced, "arrested, molested, distrained, or in anywise dis- "turbed, but that they, and every of them, "coming to the market aforesaid, and the same "abiding, and to their homes returning, shall be "exonerated, free, and quit for ever of the payment "of such tolls, stallages, and tributes for such victuals "by them or any of them in the market aforesaid, "bought or sold as is aforesaid, any statute, act, or "ordinance to the contrary edited or provided not- "withstanding."

6252. What was the next charter?—Then by letters patent under the Great Seal, His Majesty King Charles the First, on the 9th day of September in the fourth year of his reign Anno Domini 1628, for the considerations therein mentioned, did give and grant unto Edward Ditchfield, John Heighlord, Humphrey Clarke, and Francis Mosse, citizens of London, their heirs and assigns (amongst other manors and hereditaments): "All that our lordship or manor of Bradford, "parcel of the honor of Tickhill, in our county of "York, with every the rights, members, and appur- "tenances. And all our lands, tenements, rents, and "hereditaments whatsoever in the aforesaid county of

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"York called or known by the name of the manor or lordship of Bradford. And also all those the tolls, stallages, and franchises of the vill and lordship of Bradford aforesaid. And also all those perquisites and profits of court within the manor or lordship of Bradford aforesaid, now or late in the tenure or occupation of Nicholas Tempest, Esquire, which lordship or manor and other the premises are stated to be 'parcel of the ancient lands and possessions of the Duke of Lancaster.' And all and singular courts leet and view of frankpledge *fairs and markets, and marts, issues of fairs and markets, courts of piepowder, stallage, tolls, tollages, customs, pickage, emoluments, immunities, acquittances, and hereditaments whatsoever to the premises belonging or reputed parcel thereof as fully, freely, and entirely, and in as ample manner and form as any Duke of Lancaster or any other person or persons ever held or enjoyed the same by reason or force of any charter gift, grant, or confirmation thereof, or by reason of any letters patent by us or any of our progenitors, Kings or Queens of England, heretofore had made, granted, or confirmed, or by reason or force of any Act of Parliament or legal prescription before that time had or used. To be holden of the King, his heirs and successors, as of his manor of Enfield, in the county of Middlesex, by fealty only, in free and common socage and not in capite or by knight's service, in fee farm for ever at the yearly rent of 35*l.* 4*s.* 6½*d.*" which rent was afterwards purchased from the Crown by the owner of the manor. It appears that during some of the troubled times of the land, the property had become forfeited to the Crown, and hence the re-grant by the charter which I have named to your Lordship.*

6253. What was the next proceeding?—By an indenture of bargain and sale enrolled in Chancery of the 21st of November, in the fifth year of the reign of Charles I. the said Ditchfield, Heighlord, Clarke, and Mosse conveyed the manor and market of Bradford to John Okell, William Lister, Robert Clarkson, and Joshua Cooke, their heirs and assigns. Various ~~meane~~ assurances took place from those persons to others, and from them again to others until the following transactions arose. The markets and the property in question ultimately came to John Marsden, of Hornby Castle, in 1795, and that is the next date that we take up. Marsden, having become possessed by assurances of the property, he sold the manor and markets to Mr. Benjamin Rawson for 2,100*l.* The deeds were dated, lease and release, the 12th and 13th of February 1795. The markets having got into the hands of Mr. Rawson he managed them for the remainder of his life, and then by will devised them to his two daughters with various remainders over. One of the daughters died; the other is still living. In 1866, another transaction took place under which the Corporation came upon the field. Mr. Benjamin Rawson gave leasing powers to his representatives, Miss Rawson (I believe the two ladies first of all, and subsequently one of them, the survivor) carried on the market affair until 1866. While the manor was connected with an unimportant rural place, such as Bradford in the early days was, the property was of no great value. But as the town became a manufacturing centre, and ultimately became the centre of what is known as the worsted district of the country, (that is to say, materials for women's dresses and coatings, and the like), the centre of the woollen district being at Leeds, it became more important, and the industries of the locality were further developed, and their growth was accompanied by a rapid increase in other matters. This was much accelerated by the introduction of the power-loom. I should like to submit figures to show what the ratio of increase has been. Taking, as an illustration, the sale of water, which is a fair criterion as to what is going on in a town, in 1854 the total income from the water supply, being then in the hands of a private company, was 10,000*l.* a year. It was found that new works must be constructed to meet the growing demands, and the

Corporation acquired the property. In 1854 the Corporation obtained an Act of Parliament to take over that water supply, and they have since carried on the undertaking with considerable enlargements until the income now amounts to 107,000*l.* So that, if you take the 10,000*l.* of 1854, and the 107,000*l.* now, that gives a kind of measure of the ratio of increase during those years.

6254. (*Sir Thomas Martineau.*) Is that the gross income in each case?—It is the gross income in each case. Then, in 1847, when the Corporation obtained their charter, the rateable value of the borough was 184,934*l.* This year it amounts to 979,864*l.* 4*s.* At the census of 1841, which was the last census previous to the incorporation, the population of the borough was 66,715. The Registrar-General now has to make an estimate of what the population is since the census of 1881, and he sets it down at about 220,000. In 1881 it was hard upon 200,000. I have another earlier census return. In 1811 the population of the town of Bradford was given as 7,767.

6255. (*Chairman.*) Without going into further details upon this point, we may take it that both the wealth and the population of Bradford have enormously increased. Then, I presume, that the market rights, as exercised when Bradford was a small place, had become very inconvenient when Bradford grew into a large town?—Quite so.

6256. You objected, I understand, to the principal thoroughfare being used as a horse market?—Yes.

6257. Of course that is inconvenient for business?—On market days while the business of the day was going on, and merchants were assembling in the Exchange and in the streets adjacent, I have seen horses trotted up and down for sale; and in the neighbouring street cattle exhibited. There was no enclosed market. The animals were shown in the open streets opposite the shops.

6258. The abattoir, as we are told, was in the heart of the town?—It was.

6259. And the pleasure fairs being held in the principal thoroughfares were very much objected to?—Very much indeed. There was a plot of land forming part of the market property alongside of a church named Christ Church, which has since been pulled down for improving the street, and the church has been removed to another site. The fair was held in the ground all round the church and in the street in front of it.

6260. Then you determined to get the control of the markets into the hands of the Corporation?—Yes.

6261. And in the year 1866 you applied for two Acts: one to authorise the leasing of the property and the other to empower the Corporation to acquire it?—Yes.

6262. What was at that time the gross annual income from the property?—Somewhat over 3,000*l.* I should say, bearing in mind some little difficulty that Miss Rawson felt on the subject of my statement as above, that the 3,000*l.* covered, not merely the market rights, but the income from property to which Miss Rawson wishes attention to be directed; and I should add that in addition to the price which Mr. Rawson gave for the market rights, he bought some property adjacent to the place which we are speaking of, for which he gave 2,100*l.* So far as I can make out, that is all he gave for the whole of the property, 1,300*l.* in addition to the purchase of the market rights, making in all 3,400*l.*

6263. But the bargain which you made, I understand, was this: that you were to pay 5,000*l.* a year for the term of 999 years?—That is so.

6264. Was there any alternative as to arbitration?—There was.

6265. You had the option of referring it to arbitration?—Certainly.

6266. That option you did not accept?—Certainly not, for reasons that would be obvious to gentlemen of business; that if you go to a reference having named a sum of money previously you have not much chance

of getting it for less, and you may have to pay more, so that it was deemed best to pay the 5,000*l*.

6267. So that, as you say in your statement, the Corporation were compelled to give the 5,000*l*. per annum, or allow things to remain as they were?—That was so.

6268. But I presume that was a bargain which they made with full knowledge of the circumstances?—Yes, and it was the best they could do.

6269. It may or may not have been an improvident bargain, but you made it with your eyes open?—No doubt, but it was made under a species of pressure arising from the inconvenient user of the market rights.

6270. That bargain of 5,000*l*. a year for 999 years is in existence still?—That is so.

6271. Then we have it from you that you have spent very large sums of money, nearly 200,000*l*., partly in the purchase of land, but mainly in making the markets fit for the accommodation of the public?—Yes. Perhaps the Commission will permit me to add that every atom of the property, buildings, stalls, small shops, or any thing else that was purchased from the representatives of Mr. Rawson by the Corporation, has been pulled down; they were quite unsuited for the purposes of a market. Not an atom of the buildings remain.

6272. I understand that the Corporation is in possession of the markets, that the Corporation have made the markets, as they conceive, suitable for the wants of the town, and that there is no complaint or grievance as to the present state of things?—No, none whatever.

6273. But you want to go back upon this bargain of 5,000*l*. a year to be paid for 999 years?—One question that was submitted to the Corporation when the inquiries came down was, first: "What are the facts of the case? And: Have you any remedy to suggest?" I laid your inquiries before the Corporation, and the only thing that we could under the existing circumstances urge was that we never had any tribunal to which we could appeal about the pressure which the exercise of these market rights brought upon the town, and therefore there was nobody with whom we could lodge a complaint. But as this Commission is now sitting we think we may well come before you and say, that it does seem a very hard thing that we should have to pay that huge sum of money for 999 years. We have already paid Miss Rawson 105,000*l*. for property for which her ancestor gave the figure I have stated, and we shall have to continue paying it; and we venture to suggest that, as in another part of the United Kingdom, a law is recognised that if a rental is unfair it may be modified, so we might have the good fortune to prevail upon this Commission to help us out of the difficulty in some way.

6274. Supposing that instead of agreeing to pay 5,000*l*. a year practically in perpetuity, that sum had been capitalised, and you had paid the price down once for all?—That would have been very much better, assuming that the price to be paid down was of a reasonable character.

6275. Do you think that after the lapse of 21 years, you having made that bargain, you would have been justified in coming here and asking to be repaid part of the capital with which you had then parted?—I must admit to your Lordship that we should not have come here at all if we had not been asked by the Commission whether we could suggest any remedy for the difficulties of which we complain, because we have made a contract and we do not dispute it, but being invited to point out a remedy we venture to do so.

6276. As I understand, the difficulty under which you labour is, that of being obliged to keep the engagement which you made knowingly, and with your eyes open, 22 years ago?—I cannot resist the force of what your Lordship says. Your Lordship will allow me to add that what we have done has been done in obedience to the requirements sent to us. That

remedy I have suggested is the only way we see out of the difficulty.

6277. (*Sir Thomas Martineau.*) With reference to this bargain, was it forced upon you that it should be taken in an alternative shape?—No, I will not say that. I think we might have had either if we had chosen.

6278. Supposing that you had stood out for it you might have carried out the bargain on the footing of there being an arbitration alone?—We might, but, as I have already stated, the arrangement which was not made by me, but by my predecessor, was, "You may pay 5,000*l*. a year, or if you do not like that you may go to arbitration," and what I submit is that if the alternative be of that description it is hopeless, for the man who has to pay to go to arbitration, if he fancies he will get off for less, because it involves a kind of recognition, that 5,000*l*. a year is not an unreasonable sum.

6279. But why was 5,000*l*. ever introduced into the matter at all; could you not have taken your Act of Parliament on the footing of an open arbitration?—I question whether Parliament would have then intervened. There was no application made for an Act of Parliament until after the contract was made. The application for the Act of Parliament was a friendly one.

6280. Then we go before the Act of Parliament. Why was the bargain ever made?—I am not exactly in a position to answer that question; I was not there at the time. My notion would be this: that the inconvenience from what was going on was so great that the Corporation, in the condition of a good many people, paid almost anything to get rid of it.

6281. Then they were willing at that time to pay 5,000*l*. a year to get rid of this nuisance?—I think it must be taken that that was so.

6282. Was that bargain opposed in the town at the time?—No; at that time the public had very great confidence in the Corporation. I do not say that they have not now, but people think more for themselves now sometimes than they did twenty years ago.

6283. With regard to the profits that you are making, do you make the 5,000*l*. a year?—We make the 5,000*l*. a year in gross, and a very great deal more than that. In this last year of 1887 we made something approaching 20,000*l*. gross. But you must bear in mind the money we have spent, and the works we have executed. I may say broadly that for the first few years of our occupation the Corporation were considerable losers by the transaction, and until the last year or so they have never reaped any profit at all from the undertaking. They have covered their outgoings, those outgoings consisting of management by servants whom they have to pay, and interest, and sinking fund on the moneys which they have had to borrow.

6284. Does the income now cover all those sources of expenditure?—It just covers it. Last year was the first year I believe in which it did so. The result of what has been done since the markets have been worked by the Corporation, who give their time and service for the benefit of the public, is that we now, and now only, just pay our way.

6285. But with an increasing market of this kind there is a probability that you will make some profit hereafter?—We have begun to do so now, and as our debt decreases there will be more left for the rate-payers.

6286. That is some justification for the view that was taken on both sides at the time the bargain was made, that there was a future value in the market?—Probably that would be so.

6287. Is there any complaint as to the manner in which the market is worked?—No, quite the other way. The Corporation, a popularly elected body, try to anticipate the wants of the public.

6288. And the market has been so managed as to give general satisfaction. I think it has given very great satisfaction. The abattoir was a very important thing, and before we commenced building it we sent our architects, Messrs. Lockwood and

Mr. W. T. McGowan.

21 June 1888.

Mr. W. T.
McGowen.
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21 June 1888.

Moorsom, to France and to Holland, and to London, and to other places, to get all the information they could as to the best appliances; and we are under the impression that we have got everything that could be got to minimise labour, and to effect convenience to the people who go there, and the markets are popular.

6289. (*Mr. Little.*) You have given us a statement of the sums which have been spent upon the markets; has that money all been borrowed?—Every halfpenny of it.

6290. Can you give us now an account of the income and expenditure under the various heads for the last three years?—Yes. It is as follows:—

BOROUGH OF BRADFORD.

MARKETS AND FAIRS DEPARTMENT.

Year.	Income from all Sources.	Payments including legal and other Expenses.	Gain.	Loss.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1867	4,156 10 6	6,367 11 7		2,211 1 1
1868	4,796 4 7	6,102 12 2		1,306 7 7
1869	5,479 6 6	7,278 10 4		1,799 3 10
1870	5,229 8 0	7,083 12 3		1,854 4 3
1871	6,480 19 0	10,007 14 6		3,526 15 6
1872	5,307 4 6	9,069 3 6		3,761 19 0
1873	8,523 1 5	12,470 12 5		3,947 11 0
1874	10,906 7 2	15,762 12 7		4,856 5 5
1875	12,591 19 10	17,975 2 8		5,383 2 10
1876	13,485 18 3	18,554 15 11		5,068 17 8
1877	14,333 16 10	17,963 18 10		3,630 2 0
1878	15,579 12 5	18,507 11 11		2,927 19 6
1879	16,162 3 2	18,999 8 3		2,837 5 1
1880	16,364 13 0	18,739 11 1		1,734 18 1
1881	16,713 17 10	11,293 18 9		1,589 0 11
1882	17,306 14 1	18,138 14 1		833 0 0
1883	17,551 9 3	18,446 4 2		894 14 11
1884	17,963 14 9	19,047 7 5		1,083 12 8
1885	18,713 16 7	20,546 12 10		1,831 16 3
1886	19,712 6 11	20,194 12 9		482 5 10
1887	20,411 13 11	19,929 12 0	482 1 11	—
2	263,389 18 6	319,159 0 0	- - -	51,251 3 5
				482 1 11
Net Loss	-	-	-	50,769 1 6

6291. I understand that for a long time there was no profit, and that it is only quite recently that there has been a profit?—Last year I believe was the first time that we turned the scale, and we got about 500*l.* net last year.

6292. It has been stated by a witness before this Commission that Bradford was one of those towns which was making a very large profit out of the market; was that statement accurate?—That is entirely wrong. I have brought the market superintendent with me, if you would like to hear what he has to say, and he will tell you that it is not so.

6293. (*Mr. Charrington.*) Have you stated anywhere what the outlay of the Corporation has been upon the market since the purchase or arrangement with Miss Rawson?—Yes, it has been 190,386*l.*; the outlay has been much larger than that really, but we managed to sell some properties that we bought, irrespective of what we bought of Miss Rawson, at a profit. The total outlay is something under 191,000*l.*, or, as his Lordship put it, getting on towards 200,000*l.*

6294. I presume the business and tolls of the markets increase very much as the population increases?—No doubt, and it increases for another reason. I do not know whether it may be of interest to the

Commission to know it or not, but when we got possession of this property our effort was to plant the markets in situations which would not only lead to business, but would be useful to the public. We went to the Midland Railway Company, and asked them whether they would allow us to establish a market in the borough at their terminus, but they did not seem disposed to assist us very much. We went to the Great Northern Railway Company, and the Great Northern Company took a different view; and the result was that we purchased land in the vicinity of their goods station, and we arranged with the Company to have sidings laid from their line into this market into the warehouses of the people. So goods and merchandise and produce of every description is brought into the market and deposited there by rail, and in the same way meat is despatched from that market from the abattoir to London by railway immediately on being killed. Then the Midland Company altered their views after a while, and a number of transactions took place resulting in this: that another market was built upon their system, and afterwards purchased by the Corporation. So that now we have markets at the end of the system of each of those railways in the town, and we have lines running into both, so that that is a great convenience, and the result is, I am happy to say, that considerable consignments of produce, not only from the north and south of the country, but from abroad as well, are brought into the market.

6295. So far as you are aware, the inhabitants seem satisfied with the management of the market; you do not find that they make complaints?—No, it is quite the other way. As I was observing, the town council having the management of the thing, and some of them having to go every year to their constituents, every effort is made to consult the wishes and the convenience of the public. I ask the Commission to understand that we do not come here suggesting for a moment that because Bradford has done what she has done, the law is to be broken in any way; but you have been so kind as to ask us if we saw our way to any remedy, and we ventured to suggest how we could have a remedy. It is for you to consider whether we make out any case for something of the kind being done.

6296. (*Chairman.*) Supposing that you succeeded in inducing the Legislature to interfere, and to alter the terms of this bargain which was made more than 20 years ago, do you not think that you would do yourselves more harm by injuring the credit of the town in future dealings than you would do good by the saving which you would effect?—No; whatever we do with regard to Miss Rawson would not affect the right of these markets. The markets are under the management of the people themselves, and they will take care that they are managed rightly and profitably. The only way in which we should suffer would be if we were left to fight Miss Rawson upon the ordinary lines of arbitration, because she would say, and very properly so, "you have made this estimate of what it is worth, and I claim to be remunerated upon that footing." In that sense, if we were to try and alter the existing state of things, we might be worse off than we are now; but the only relief that you could give us would be upon the system which has been adopted in another country, where there is an absentee landlord, and where flourishing people are paying more than they would like to pay or think reasonable.

6297. But do you not think that if you succeeded in obtaining what you wish, people would be rather shy of dealing with the Corporation in future?—Well there are no markets to be purchased, and in all other things we buy outright, purchasing the fee of the property. It is a peculiarity of the people in Yorkshire that they do not much care about leasehold property; every man likes to be owner of his own, and the system of holding in fee prevails.

6298. But the one peculiarity of those people I have been told is, that they are very good hands at a

bargain, and generally contrive to get money's worth for their money?—I think there was somebody who was a very good hand at a bargain here. The Corporation were not seeking to make money, but to get rid of what was a very serious trouble to them, and they have had to smart for it.

6299. (*Sir Thomas Martineau.*) Mr. Rawson originally bought the market rights, you say, for 2,100*l.*?—Yes, to which I added that they purchased some property adjacent, which was afterwards used for market purposes, for 1,300*l.*

6300. That makes 3,400*l.*, which was the whole cost to them for which they got 5,000*l.* a year?—Yes.

6301. On the other hand, you have certain freehold property which you have acquired as well as the market rights?—Yes.

6302. It is about 18,000 yards, is it not?—We have purchased an enormous quantity of property outside the market.

6303. But from Mr. Rawson's representatives, I mean?—Miss Rawson's friends attach importance to the fact that she conveyed a lot of buildings to us together with the market rights. All those buildings were taken down. We acquired at Kirkgate, 8,700 yards; at Rawson Place, 4,861 yards; and adjoining Christchurch, 5,060 yards; making a total of 18,621 yards, or somewhat under four acres.

6304. What do you think the value of those four acres would have been, irrespective of the market question altogether?—I have not made an estimate; 3*l.* a yard, I should think, at the very outside.

Mr. W. T. McGowen.

21 June 1888.

The witness withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

TWENTY-SEVENTH DAY.

Friday, 22nd June 1888.

PRESENT:

SIR JAMES PORTER CORRY, BART., M.P., IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
MR. WILLIAM C. LITTLE.

MR. PIERCE MAHONY, M.P.

MR. HENRY A. P. ROOKE, *Secretary.*

Mr. WILLIAM GREAVES and Mr. WILLIAM SIMPSON examined.

6305. (*Chairman.*) You have come to give evidence with reference to the markets at Bradford?—Yes.

6306. The markets were leased to the Corporation in 1866 for 999 years by Miss Elizabeth Rawson, the owner of the fee simple and the lady of the manor?—Yes, with certain valuable land and buildings.

6307. You act as Miss Rawson's solicitor?—Yes.

6308. How did Miss Rawson become possessed of the market rights?—She became possessed of the manorial and market rights under the will of the late Benjamin Rawson, who acquired them by purchase from Mr. Marsden, the then lord of the manor, in 1795, for the sum of 2,100*l.*

6309. How were these markets held by the lord of the manor?—Under charters of the 35th of Henry III., the 22nd Edward I., and the 4th Charles I.

6310. You have translations of those charters?—Yes.

6311. Was any attempt ever made to establish a market in contravention of the rights of the lord of the manor?—There have been several attempts; the first I know of (of course I could not speak to that of my own knowledge) was in 1782. At that time an attempt was made to establish another market, but Mr. Marsden, the then lord of the manor, opposed it and the project was abandoned. Another attempt to establish a market was made in 1823 by the Rev. Godfrey Wright, a large landholder in Bradford. Mr. Rawson brought an action against Mr. Wright, which action was tried at York Assizes, and a verdict was given in Mr. Rawson's favour. I have here a printed report of that trial (*handing it in*).

6312. That was before the Corporation became the lessees of the market?—Yes, I may say that the Rawson family at all times met the wants of the town by providing better accommodation for the markets when required. Up to 1801 the market was held on the highway in West-Gate. There were then no market buildings, but in that year Mr. Rawson purchased land in New Street, which is now called

Market Street, and erected a suitable building for market purposes at considerable expense. Then that market became too small for the increasing wants of the town, and Mr. Rawson in 1823 provided a still larger market upon freehold ground belonging to him in Kirk-Gate and Darley Street, which was not included in his purchase of the manorial and market rights. Suitable shops, stalls, and other buildings were erected by Mr. Rawson, and the market then provided was very convenient for the use of the public, being in the centre of the town, afterwards the market was further enlarged by the addition of other freehold land on the other side of Darley Street, belonging to Mr. Rawson.

6313. In 1801 what did the market tolls amount to?—Only 15*l.* per annum.

6314. What did they amount to in 1825, two years after Mr. Rawson provided the larger market?—87*l.* a year.

6315. What did the market tolls amount to in 1866 when the market was leased to the Corporation?—1,707*l.* a year.

6316. At what rent did Miss Rawson let the market rights, and the lands and buildings, to the Corporation?—5,000*l.* a year. That arrangement was confirmed by two Acts of Parliament in 1866, the Rawson Estate Act and the Bradford Corporation Act.

6317. You say that in 1866 the amount of the tolls was 1,707*l.*, it was upon that I presume that the annual rent was based?—That and the value of the freehold land and buildings and the prospective value.

6318. Has some of the land so let for 999 years to the Corporation been sold by them?—Yes.

6319. Had that land become very valuable?—Yes. By removing the fish and vegetable market and the fair ground to another site a large quantity of building land in the centre of the town was set free, which they sold, and shops and offices, and business premises have been erected on that land; other portions

Mr. W. Greaves and Mr. W. Simpson.

22 June 1888.

Mr. W.
Greaves and
Mr. W.
Simpson.

22 June 1883.

of the land included in the lease have been appropriated to street improvements.

6320. Is there an idea in Bradford that the rent of 5,000*l.* a year is paid for market rights only?—There is a strong impression abroad in Bradford to that effect.

6321. The people think that the Corporation made a bad bargain?—Those who do not know the facts think so, the town council have lent their authority to the statement that the 5,000*l.* is simply for market rights without any land, they say so in their annual accounts every year.

6322. The town council lend authority to the idea that the 5,000*l.* is paid for market rights only?—Yes.

6323. And you entirely dispute that?—Yes.

6324. You say that this freehold land formed part of the purchase, and that that is very valuable?—Yes, the town council have this item in their accounts, "By Manorial Rights 5,000*l.*," less income tax, they do not say a word about the land.

6325. Has that created considerable dissatisfaction in the borough?—I do not know that it has created considerable dissatisfaction, but it has created a wrong impression.

6326. What is your estimate of the value of the property that was handed over to the Corporation at the time of the purchase?—There were 18,621 square yards altogether included in the lease, the least valuable portion of that is worth 5*l.* a square yard. I believe that is the lowest price for which the Corporation have sold any, but they have sold at higher prices up to 8*l.* or 10*l.* per yard; the portion they have sold is the least valuable, being the furthest from the centre of the town. The land in Kirk-Gate and the lower part of Darley Street is worth 30*l.* to 40*l.* per square yard. Other plots in the immediate neighbourhood have been sold for those prices, the Corporation sold a plot close to that land for 52*l.* per square yard some time ago.

6327. That was freehold?—Yes, I am treating this also as freehold.

6328. You look upon a lease for 999 years as equivalent to freehold?—Yes, the prices I have given for the land sold are the prices which the Corporation have realised for it as leasehold for 999 years.

6329. Taking the value of the whole of the 18,621 square yards at your valuation of 8*l.* per square yard, how much would it amount to?—148,968*l.*, but I consider that is a low value, it is worth more; that is exclusive of the buildings that were on the land when the Corporation purchased it, I am treating it as land only.

6330. Then, in your view, in place of the Corporation having made a bad bargain, they have made a very good one?—In every respect a very good one.

6331. When the Corporation entered into this lease with Miss Rawson was the value of property in Bradford rising?—It was rising rapidly.

6332. And has it continued to rise?—It continued to rise until about 1875, for a few years after that there was a depression; trade was bad, and property did not increase in value; now things have mended again and property is again going up in value.

6333. Did the value of property go back much after 1875?—It did not go back; not property in the centre of the town, but it remained stationary; there was practically none sold.

6334. Now things are better?—Yes, trade is better; the town is prosperous.

6335. Has the Corporation expended a large sum of money on these markets?—They have expended a large sum. According to their own accounts up to the end of last year the total expended is 181,311*l.* 5*s.* 5*d.* I may say I am reading from the official accounts published by the Corporation for 1887.

6336. Then you deduct from that what they have realised by the sale of land?—From that we must deduct, according to the Corporation's own account, 29,021*l.* 13*s.* 4*d.* for land which has been sold and appropriated to street improvements, that brings the amount to 152,289*l.* 12*s.* 1*d.* That should be re-

duced by the sum of 10,321*l.* 10*s.*, being the amount for which land was sold in 1887 as per the town council report, which I have with me.

6337. But which had not come into their accounts?—Which had not come into their accounts, and I believe there is also more land still unsold, or sold and not yet paid for, but of that I am not in a position to give particulars; it is not in the accounts.

6338. Then the Corporation, according to your view, are making a considerable annual profit out of the markets and the property that they lease?—Yes, they are doing so.

6339. According to your estimate, what do you say is the profit?—The total profit would be about 3,000*l.* a year. According to the Corporation accounts, the total receipts in respect of markets and fairs in 1887 was 18,942*l.* 16*s.* 3*d.*, the total payments were 18,419*l.* 13*s.* 5*d.*, leaving net receipts 523*l.* 2*s.* 10*d.*; but in the payments the Corporation have included the sum of 3,000*l.*, which they have taken out of revenue and paid to capital in the shape of sinking fund, also included in their account, which added to the 523*l.* 2*s.* 10*d.* brings the actual net receipts up to 3,523*l.* 2*s.* 10*d.* Then the amount of sinking fund at the beginning of 1887 was 41,732*l.* 7*s.* 10*d.*; the interest upon that should be deducted, it being in fact capital invested in the markets, and that leaves a net profit of 2,271*l.* 3*s.* 6*d.* But that should be increased, or will in future be increased, by the interest on the purchase money for land sold in 1887, which was 10,321*l.* 10*s.*, and also by the interest on any further sums which may be produced by the sale of lands. I may state that that is not the whole profit, because I find in going further into the accounts that the markets and fairs accounts are kept in two different places. I find that in respect of the slaughterhouse or abattoir in Bolton Lane the actual receipts are 1,468*l.* 17*s.* 8*d.* and the actual payments 1,409*l.* 18*s.* 7*d.*, leaving a profit of 58*l.* 19*s.* 1*d.*, to which must be added 175*l.* paid to capital in the shape of sinking fund on that account.

6340. Nothing is taken off for depreciation?—There is no depreciation, there are large payments out of revenue for general repairs and maintenance. The buildings are erected of Bradford freestone, which is very durable—practically there is no depreciation except what is met by repairs, which is taken out of revenue. The sinking fund of course is provided to repay the money which the Corporation have borrowed on loan to provide the markets.

6341. Your opinion is that if the Corporation were at the present day negotiating with the proprietors of these market rights and lands for the purchase of them the probability is that they would have to pay a much larger annual rent than they do pay?—I do not think Miss Rawson and her advisers would be willing to take less than double the amount to-day—of course that is a matter of opinion. Things are very different in Bradford to what they were in 1866, the value of land is so much greater.

6342. When the accounts say, "By Manorial Rights, 5000*l.*," there ought to be a note to say that there was land included in the lease over and above those manorial rights?—Yes, it does not suit their purpose to make that statement.

6343. Was the value settled by arbitration?—No, it was by mutual agreement I believe; a sum was suggested by the Corporation, but I am not able to speak positively to that.

6344. Are you aware whether there are any complaints at all about the way in which the markets are managed by the Corporation?—I am not aware of any.

6345. (*Mr. Little.*) The Corporation have purchased from Miss Rawson other land than that which was connected with the market rights?—They have purchased some other land from her since.

6346. The statement that was made by Mr. McGowen on the part of the Corporation was, that all they got for the 5,000*l.* a year was the market rights and the sites of the old markets?—By the

sites of the old markets he means the land which Mr. Rawson bought, upon a part of which he afterwards established a market.

6347. You say that that land which Mr. McGowen refers to as the sites of the old markets includes this valuable land which they have been able to sell or to throw into the streets?—Yes, I would like to put in these two plans. This plan (*producing it*) shows where the market was originally held up to 1801 in the narrow street. In that year Mr. Rawson erected a market here. Then that became insufficient, and in about 1823 Mr. Rawson moved the market here, and he appropriated then to the market a large plot of land which was not included in his purchase of the markets from Mr. Marsden, and that was included in the land which was sold to the Corporation. This (*producing another plan*) shows the land leased to the Corporation.

6348. Then when Mr. McGowen states that all that the Corporation got for their 5,000*l.* were the market rights and the sites of the old markets, he is correct, but you say that part of the sites of those markets is valuable land not required for market purposes?—Yes.

6349. And capable of being leased by the Corporation, and has been in fact so leased?—Yes, for the residue of the term of 999 years.

6350. Subsequently, as I understand, the Corporation purchased of Miss Rawson other land?—Yes, Bradford Moor.

6351. That has nothing to do with the markets?—No.

6352. For the markets and the market sites the Corporation did not pay a lump sum of money?—No.

6353. 5,000*l.* a year was the sum agreed on between the Corporation and Miss Rawson's representatives?—Yes.

6354. Had the Corporation any opportunity of arbitration?—Yes, they had it offered, but they preferred to pay the 5,000*l.* without arbitration.

6355. It has been stated that 5,000*l.* having been mentioned by Miss Rawson as the rent which she was prepared to take it would have been useless to go to arbitration, because it was not likely that the Corporation would get it for less. Do you see any reason why your naming a price should have prevented their going to arbitration?—I cannot imagine any; they went to arbitration for Bradford Moor, and they had to pay nearly twice what we asked.

6356. (*Chairman.*) That was afterwards?—Yes, they wanted Bradford Moor, and they got power under

the Lands Clauses Acts to take it; we offered to take a certain sum, but they would not give it; and they said they would fight us, so we went to arbitration and then they had twice as much to pay.

6357. (*Mr. Little.*) You stated that the Corporation have leased part of the property which they have acquired; do you know the length of the leases?—They have not leased it, they have sold it for the residue of 999 years.

6358. The Corporation acquired a property which has been annually increasing in value you say?—Yes.

6359. They agreed to pay 5,000*l.* a year for it?—Yes.

6360. And they are now making a profit from it?—They are making a considerable profit.

6361. Even supposing your estimate of profits is larger than they would admit, they are still making a profit?—I do not think my figure is an estimate, it is their own figure.

6362. We had it admitted yesterday that there was now a profit, but it was stated that it is only quite recently that there has been a profit?—I do not think it would be likely to realise a profit at first, because the Corporation spent a great deal of money in erecting very handsome shops and markets, and buildings upon the land; and then the depression came and they did not let well for some time, a profit was not realised for some little time. Their buildings are very much more elaborate and expensive than are necessary for market purposes, they are very handsome buildings and a credit to the town; and they also provided out of these buildings a free library, a museum, and an art gallery at a nominal rent in order that the free library committee might keep within the limits of 1*d.* a pound, which is all that they are authorised to raise by Act of Parliament; that again is a profit.

6363. If it were stated to us that the tax is a serious one on the resources and industry of the town you would not agree with that?—I should certainly not agree with that, so far from its being a tax there is a profit.

6364. Your object in coming here is to give the Commission information as to the exact terms upon which the Corporation acquired the property?—Yes.

6365. (*Chairman.*) According to your view of the matter, instead of being a large tax upon the inhabitants it is rather an advantage?—It is a very great advantage undoubtedly.

Adjourned.

At No. 32, Abingdon Street, Westminster.

TWENTY-EIGHTH DAY.

Thursday, 5th July 1888.

PRESENT:

MR. WILLIAM C. LITTLE IN THE CHAIR.

THE RIGHT HON. HUGH C. E. CHILDERS, M.P.
SIR JAMES PORTER CORREY, BART., M.P.
MR. CHARLES I. ELTON, Q.C., M.P.
MR. FRANCIS W. MACLEAN, Q.C., M.P.

MR. SPENCER CHARRINGTON, M.P.
MR. JAMES ALLANSON PICTON, M.P.
MR. PIERCE MAHONY, M.P.

MR. HENRY A. P. ROOKE, *Secretary*.

MR. HENRY BLAKE MILLER examined.

6366. (*Chairman.*) You are town clerk of Norwich?—I am.

6367. And you appear here on behalf of the Corporation of Norwich?—I do.

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6368. They are the owners of all markets and fairs within the city of Norwich, are they not, except the corn market?—They are not the owners of the corn market.

Mr. W.
Greaves and
Mr. W.
Simpson.

22 June 1888.

Mr. Henry
Blake Miller.
5 July 1888.

Mr. Henry
Blake Miller.
5 July 1882.

6369. What are the markets?—There is the cattle market, the provision and vegetable market, the hay and straw market, and the fish market. Those are all the markets. Then there are some fairs, Tombland Fair, and what are called the Christmas Fairs.

6370. How have the market rights been acquired by the Corporation?—By several charters, one after the other.

6371. When was the first charter granted?—The first charter was granted by King Edward IV. in the year 1461.

6372. Were the grants of those charters in the regular and ordinary form, or was there any special privilege conferred?—They were grants by the Crown not to the mayor, aldermen, and citizens, but to the ancient authorities of the city; mayor, aldermen, and citizens would of course be somewhat a new title. The charter gives the privilege to hold markets and fairs.

6373. Was it a grant with the accustomed privileges, or in some such general terms?—No, but I could easily give you the clause.

6374. Have the powers of the Corporation been extended or altered in any way by Acts of Parliament?—They have been somewhat enlarged. The markets have been enlarged under Acts of Parliament, they were found to be too small for the number of cattle, therefore in the years 1860 and 1862 two Acts of Parliament were obtained.

6375. And those had reference to the cattle market?—Yes.

6376. Had they reference to the cattle market only?—Regulations as to the other markets were also contained in them, but they had reference principally to the cattle markets.

6377. Then your present tolls are regulated by the provisions of recent Acts of Parliament?—Yes.

6378. What is the extent of your cattle market?—Between seven and eight acres.

6379. Is that market filled or largely used every week?—It is very largely used.

6380. Can you give us any particulars as to the numbers of stock there?—Yes. Last Saturday week, for instance, there were between 12,000 and 14,000 sheep on the hill.

6381. Could you give us the numbers for two or three years past?—Yes, I can give you the numbers for the years 1885, 1886, and 1887. The numbers have been gradually increasing. In 1885 the number of animals exhibited, cows and bullocks, were about 77,000; in 1886, 89,000; and in 1887 over 101,000. Those are cattle only. In 1885 the number of sheep was 222,000; in 1886, 250,000; and in 1887 about 270,000. In 1885 the number of pigs was 30,600; in 1886, 17,500; for 1887 I have not got the return. The reason why the number of pigs was less in 1886, I imagine, would be on account of the swine fever and the consequent closing of the markets. I can give you the number of horses if the Commission desire it. In 1885 the number of horses was 3,800; in 1886, 4,465; for 1887 I have not got the figures.

6382. The tolls are stated in this paper which you have put in?—Yes.

6383. Are they moderate in proportion to the value of the things sold?—Very.

6384. In addition to the tolls, what charges do you make in the cattle market?—We allow auctions. Persons applying for licence to sell cattle hire certain spots in the market for a term of, say two or three years, and they pay us a rental.

6385. What sort of rent do they pay for that privilege?—That depends upon the space. I think one person pays 85*l.* to 100*l.* as the rental of a space for the sale of horses only.

6386. He has a considerable space for that rental, I presume?—No, he erects his own wooden stables or stalls, and they are only there for the night. I have here a plan of the place where the inclosure is erected (*producing a plan and explaining it.*)

6387. Has he exclusive possession of that spot?—Yes, and for it he pays a rent of from 85*l.* to 100*l.* a year.

6388. Is that complained of at all by other sellers?—No. If there were applications by other persons we can licence them under our Act out of the market. We have had one or two applications, but they did not go through with them.

6389. Is the market trenched upon by assigning these spots to particular auctioneers, or is there still plenty of room for other dealers?—There is.

6390. Do other dealers than auctioneers hire pens?—Yes.

6391. Upon what terms?—For a year only. The pens are reserved for their use until 10 o'clock in the morning, and if they do not occupy them by that hour the collector has the right to allow any other farmer or exhibitor to occupy their space.

6392. These are hirings for a year?—Yes, they are renewed every year.

6393. What rent do they pay for that privilege?—Some of them pay 5*l.*, and some of them pay 10*l.*

6394. Is the sum that they pay in proportion to the size of the pens?—Yes.

6395. Is it so much per square yard?—I do not know that it is quite in that ratio, but at all events it is according to the size of the pens.

6396. Is that complained of by anybody?—No. They rather want them to be enlarged. They like the plan of being able to secure a stand in the same place.

6397. Who wants to enlarge them?—The market is increasing so much that there is rather a desire to have it enlarged. That would apply to everything. The pens would have to be enlarged, because you could not keep the sheep in without the pens.

6398. Is there space which would allow the market to be enlarged; have you property adjoining the market?—No. On Saturday we stop up the whole of these roads.

6399. And they are used for the purposes of the market on market days?—Yes.

6400. Is there an opportunity of extending this market, supposing it goes on increasing?—The city has not property to increase it; we should have to purchase.

6401. Is the whole of this space now occupied by pens?—All that is coloured is. The other animals that cannot get into the pens have to stand on these roads; they are all filled on Saturdays.

6402. Now as to the provision and vegetable market; will you tell us where it is held?—That is held in the market place in the centre of the city.

6403. In an open space?—In an open space; it is 113 yards in length by 31 yards in width.

6404. And that is occupied by stalls, I suppose?—Yes, except what is called the wholesale department.

6405. It is entirely an open uncovered market occupied by stalls?—Yes.

6406. Are the stalls provided by you or by the persons who bring their goods there?—By the persons who bring their goods there.

6407. Do they pay for the space they occupy?—They do.

6408. Do they pay in addition for the goods that they bring?—No.

6409. You call it stallage, I suppose?—Yes.

6410. This market is held on Wednesdays and Saturdays, is it not?—Those are the fixed market days.

6411. Are they fixed by the charter?—I think so; but practically there is, more or less, a market every day.

6412. Do you take these stallages for markets on other days than Wednesdays and Saturdays?—Yes, every day. In the early morning they come with a cart, and every cart is charged for what they bring in it.

6413. That is a toll upon goods?—Yes, certainly; that is in addition to the stallage; but the persons to

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whom I refer who bring the goods would not occupy the stalls; they sell from the carts.

6414. But they occupy the ground?—Yes; but that part is done before 7 o'clock in the morning.

6415. By a regulation or byelaw of yours?—Yes. The carts do not stand in the part that is allotted to the stalls, but in the public streets outside the market, and practically alongside of it.

6416. Is there any complaint that you know of as to your stallage or tolls?—No.

6417. Next you have the hay and straw market; where is that held?—On part of the cattle market. It is marked on that plan that I have put in.

6418. It is not held in the old hay market?—No; it is called the old hay market still, but it is not there. It is held in that place (*pointing to the plan*).

6419. That market is really held in a street?—Yes, on Tuesdays and Fridays this place would be covered with loads of hay for sale. There is a weighing machine there (*pointing out the place on the plan*).

6420. Are your charges there tolls upon goods, or are they stallages?—They do not pay anything for standing, only for weighing.

6421. Do you compel them to weigh?—Not unless they like.

6422. Then if they came there and sold hay or straw without weighing they would pay nothing at all?—Nothing.

6423. Then as to the fish market, that is the only market held under cover in Norwich, is it not, all the others being in open spaces?—Just so.

6424. Was the fish market built by the Corporation?—Yes.

6425. At what cost?—I cannot tell you. It is not a very good market.

6426. You have given particulars in the paper which is before us of the amount of money which has been raised for market purposes?—That is entirely for the cattle market.

6426a. It does not include any expenditure upon the fish market?—No.

6427. What is the extent of the fish market?—It is a very small area; there are 16 shops and warehouses, and they are almost all of them held under leases granted by the Corporation.

6428. At what rents?—At varying rents. One tenant pays 40*l.*, and I think that is the highest, and the others go down to about 10*l.* or 15*l.*

6429. Those are really shops?—They are places where they sell fish, but they are not all used as shops in the sense that you would go and buy fish there. There would not be more than five to which you would go and buy fish. The other shops would be used more for storage, and they would be used in the morning for people who come and buy fish wholesale.

6430. You have no restrictions as to fishmongers' shops in other parts of the city?—No, they can sell wholesale or do what they like outside the market.

6431. And you have no restriction as to those tenants; they may occupy other shops if they please?—They may do just what they like.

6432. They have perfect liberty?—Quite so. If a stranger comes we charge him a toll.

6433. If a stranger exposes fish in the market do you charge him a toll?—Yes.

6434. But not a townsman?—No, a townsman can sell his own fish both wholesale and retail. We cannot interfere with any local person.

6435. Can he come and put his fish in the market and sell there?—Not unless he hires one of our places.

6436. A stranger only occupies the space for a short time and sells his fish and pays a toll for it?—Yes.

6437. Do you restrict the sale of fish or any other articles by hawkers near the market or within the city at all?—No. Any local person who has a shop or pays rates can sell fish in any way. If he buys fish he may go and hawk it about without any restriction.

6438. But can any stranger do so?—If he hires a house in Norwich.

6439. But if a hawker comes with a hand-cart can he carry it about the street and hawk fish or vegetables?—Yes.

6440. Then you do not compel the people to come into the market to sell their goods?—No.

6441. And you have nothing to do with the corn market?—No, that belongs to a company.

6442. Have the Corporation had any complaints as to the management of the markets generally?—No, I think not; we have been rather complimented, I think.

6443. Will you give us some particulars as to your receipts and expenditure for the four years ending 1888?—In the cattle market the receipts for the four years amounted to 11,153*l.* 12*s.* 6*d.*, and the expenditure on the market was 4,964*l.* 16*s.* 7*d.* In the fish market the total receipts for the four years were 1,541*l.* 18*s.* 7*d.*, and the total expenditure is 594*l.* 14*s.* 9*d.* In the provision market the total receipts were 5,303*l.* 3*s.* 8*d.*, and the total expenditure was 702*l.* 9*s.* That does not include, I think, a sum of about 1,100*l.* or 1,200*l.* which was paid for paving the market with wood.

6444. And this expenditure does not include, capital expenditure?—No. In the hay market the total receipts for the four years were 1,442*l.* 9*s.* 2*d.*, and the expenditure 603*l.* 2*s.* 7*d.*; making the grand total of the receipts for the four years 19,441*l.* 3*s.* 11*d.*, and of the expenditure 6,865*l.* 3*s.* 7*d.*

6445. Showing a profit on the four years of about 12,500*l.*?—Yes.

6446. But you say that one item of expenditure is omitted?—About 1,200*l.*

6447. Is it possible that any other item of expenditure has been omitted, such as repayment of loans, is that included?—Yes, that would be charged, I imagine.

6448. That would be an average profit of about 3,000*l.* a year?—Yes.

6449. And that amount of profit is realised upon the sale of a very large number of animals and a very large quantity of goods?—Yes.

6450. Do you think that the toll is so large as to be any tax on the community; is it an appreciable proportion of the value of the things sold?—It is very small indeed.

6451. You gave us some figures as to the cattle market, from which it appears that in the year 1886 there were some 360,000 animals sold, and I observe that the total amount of the receipts is only about 5,000*l.*?—The charge is very small, and the animals are all the property of strangers who come and use the market, and who do not contribute to our rates. Norwich is a large place, covering 8,000 acres, and farmers in the neighbourhood of the city can sell their cattle at their own places without paying any tolls.

6452. (*Mr. Elton.*) Do the sales in the streets on the days that are not regular market days create obstructions of the streets?—No, they are not in the streets at the time when there is traffic, but only early in the morning. In the summer-time they would begin at about three o'clock bringing up raspberries, currants, and other fruit, and they sell them to the hawkers, who would go and sell them in the streets and supply small shops.

6453. I did not mean to imply that the Corporation did not do their duty, but we want to know the limit of the right claim; you do not claim in return for getting a toll to have the privilege of obstructing any streets except on market days?—No.

6454. You told us that there were two regular market days, Wednesdays and Saturdays; were those the days mentioned in the charter; are they chartered market days?—I cannot say from my own knowledge. Having myself been born in Norwich, I can say that it always has been so for the last 50 years. I have no doubt that the days are named in the charter.

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6455. You have a market on every day?—That is rather from necessity, I think. It is not a market on other days; they come and stand there. If you ask me which are the market days, I should say Wednesdays and Saturdays.

6456. But you take tolls on the other days, so that they are market days?—We take tolls.

6457. On two days in the week there are prolonged markets going on well into the day, or all day; and on other days the market is only going on at times when there is not much traffic about in the street; is that so?—The street is not at all obstructed after, say, 7 o'clock in the morning. It is in the market itself.

6458. In the market itself you have a market on Wednesdays and Saturdays?—Yes, and also on other days.

6459. On the other days you have the market also in the streets adjoining the market place early in the morning?—Yes, at certain times of the year; but that is because we do not allow carts to come into the market space and stand in the streets and sell their produce.

6460. They sell from the cart, I suppose?—Yes. In the one case they open what they call a pad, and put it down in the market; but in the other case they sell from a cart which does not come over the line of demarcation.

6461. The Wednesdays and Saturdays are the more regular market days?—Yes, that is so.

6462. I see that one of the Acts of Parliament is for regulating the existing markets; if these less regular markets, if I may call them so, where you take toll for the carts, have been existing for 64 years, it may be contended, I suppose, that they are intended to be established and regulated under these local Acts of Parliament?—Yes.

6463. That seemed to me to be probably the fact, except that we ought also, I think, to have our attention called to the point that by the 43rd section of the Act all existing prescriptive or chartered parliamentary rights are reserved notwithstanding the passing of the Act?—Yes.

6464. What you had been doing before is not abrogated or consolidated by the Act, but the Act is in addition?—Yes.

6465. Have the freemen any privileges in Norwich in the way of markets?—No, none at all.

6466. They have no privilege over the inhabitants, or what I may call foreigners?—Not any.

6467. Do they claim exemption from tolls in neighbouring markets?—No, I never heard of it.

6468. We have had evidence before us about the inhabitants of places that were ancient demesne, claiming privileges, not only outside the city or town, but also inside; have you ever heard any such claim for exemption on the part of the freemen in Norwich?—No. I am a freeman myself.

6469. And whatever exemptions and privileges there are of selling in Norwich, which seem to be very large, can be exercised just as freely by strangers, or ordinary inhabitants, as by the freemen?—Yes.

6470. (*Mr. Charrington.*) The amounts which you have given us are the amounts charged for the rents of the standings of cattle; is toll paid for the cattle in addition?—Yes.

6471. From your return fish seems to be largely on the decrease, judging by the amount that you receive in the way of tolls; in the year 1885 you received 527*l.* 19*s.* 9*d.* for tolls on fish, and that seems to be steadily declining down to 1888, when the amount is 328*l.* 13*s.* 2*d.*; but I suppose that is not complete?—That would only be down to March the 24th, 1888, commencing from the same period in 1887, according to the accounts. Our corporate accounts are generally made up to quarter day.

6472. The amount seems to have diminished in the two years from 1885 to 1887 from 527*l.* to 335*l.*; is that owing to the diminution of supply?—The sum of 527*l.* includes 188*l.* amount of arrears paid in for three previous years. The actual amount received

for tolls and rents in that year (1885) being 339*l.* 19*s.* 9*d.*

6473. To what purpose do you devote your surplus revenue?—It goes in benefit of the rates, which in Norwich, unfortunately, I believe, are the highest in the kingdom. They are nearly 8*s.* in the £; that is to say, if you pay 100*l.* a year rent, you have to pay 45*l.* for rates. That is very serious.

6474. But nevertheless you are able to apply this additional sum in relief of the rates?—Yes.

6475. Is it the large expenditure that the city has made that has caused the rates to be so high?—I think it is on account of its being an old city, and the improvements have been so expensive. Our debt is not very large now, but the improvements have caused a great deal of outlay, and the debts accumulate.

6476. Are you aware what the amount of your debt is?—The loan accounts show now 245,541*l.* remaining unpaid; that is, 72,310*l.* in respect of the municipal department, and 173,231*l.* in respect of the sanitary department.

6477. (*Chairman.*) What is your rateable value?—270,000*l.*, I think. That is low, but that is in consequence of the rates; the one often influences the other.

6478. (*Mr. Charrington.*) Do any complaints reach your ears with regard to the management of the market or the charges?—No, I think we satisfy them all. The only complaint that we sometimes have is that there is a little want of room at certain seasons of the year, when the Irish bullocks come. Sheep, of course, do not occupy the space. We have a large quantity of bullocks which come in about October, and we have some difficulty in placing them, and the sellers like to keep in the same position, so that they can be found. Then we are obliged to give up some of our sheep pens to them, and make some regulations; but upon the whole we get no complaint.

6479. (*Mr. Maulean.*) As I understand, the only complaint is of want of space?—We should like more space at certain periods of the year.

6480. That is the only complaint which has reached you as to the management of the market?—Just so.

6481. I see in this return which you have been good enough to give the Commission that the average annual expenditure is 2,455*l.*, and the average amount of the gross receipts is 4,731*l.* 5*s.* 1*d.*, adding the tolls, rents, and stallages?—I think there is some mistake in this return. That only makes a profit of 2,276*l.*; but I think it is more than that, according to the average which I have given to-day.

6482. What becomes of that profit, does it go to the Corporation?—It comes into the Corporation accounts. All the takings in the markets are published every year.

6483. Is it applied for the benefit of the ratepayers?—Yes, in diminution of the rates; it is put to the credit of the borough fund account, and reduces the amount which is required for the deficiency.

6484. So that the ratepayers get the benefit?—Yes, of the whole of it, whatever it is. If we can increase it, it is to their benefit; if we lose money it is to their detriment.

6485. Do none of those who are using the markets complain that there is this large profit made for the benefit of the ratepayers rather to their detriment?—Oh, no. It is a privilege for them to come into the market.

6486. But they have to pay for it?—A small sum.

6487. Nobody has ever suggested that if the charges were lowered it would be for the advantage of those using the markets, though perhaps not for the advantage of the general body of the ratepayers?—They would have a space as large as this table, perhaps, for 2*l.* or 3*l.* a year in the market.

6488. You have never had any complaints from any of the persons using the markets, stall-holders or others, that the charges are too high?—No. No doubt now and then there has been a suggestion that

they would like to have it for nothing; as everyone would like to have a house for nothing. I cannot say that there has not been a complaint.

6489. It is one of the features of human frailty?—Yes, but there is no real complaint; in fact a good many of them prefer coming into the market because they can sell the things much better than they can in the shops; and some persons even in the city will occupy on a Saturday space in the market for the purpose of selling poultry.

6490. But my point was rather this: that of course the higher the charge for the market the more profit goes into the borough fund, and the better it is for the general body of ratepayers?—No doubt, but our charges I submit are reasonable.

6491. There has been no serious complaint as to the charges?—None at all. We have met that by keeping down the charge.

6492. (*Mr. Pierce Mahony.*) Is there any weighing machine in the live cattle market for weighing live cattle?—Yes.

6493. Was that erected recently?—No, the cattle market committee have made arrangements for weighing live cattle in the hay machine. Some persons have been employed to arrange that, to put up fencing.

6494. Is the weighing machine used to any extent?—No, it is in very little demand. I was asking about it the other day, and I found it was very slightly used; they do not buy by weight.

6495. Is it in a convenient situation?—It is on the market.

6496. Near the cattle market?—On the market.

6497. Close to where the cattle are?—Yes.

6498. (*Chairman.*) Is there anything further that you would like to bring under the notice of the Commission; for instance, any difficulties which the market authorities have had?—No, I think I ventured to write to say that we have had no difficulties; I am not aware of any. We have had no complaints.

The witness withdrew.

Adjourned to to-morrow at 12 o'clock.

At No. 32, Abingdon Street, Westminster.

TWENTY-NINTH DAY.

Friday, 6th July 1888.

PRESENT:

THE RIGHT HON. THE EARL OF DERBY, K.G., IN THE CHAIR.

SIR JAMES PORTER CORRY, BART., M.P.
MR. SPENCER CHARRINGTON, M.P.

MR. WILLIAM C. LITTLE.
MR. PIERCE MAHONY, M.P.

MR. HENRY A. P. ROOKE, *Secretary.*

Mr. WESTLEY RICHARDS examined.

6499. (*Chairman.*) You come before us to-day, I believe, in the character of a farmer?—Yes.

6500. You own and occupy land in the grazing district in the Midland counties?—I do.

6501. Where?—At Ashwell, near Oakham.

6502. Is that a country where the principal profit of the farmers is derived from stock?—Yes, chiefly.

6503. We understand that you consider that the farmers labour under a disadvantage at present in selling their stock?—Yes, I do.

6504. Will you explain what that disadvantage is?—The farmers do not get the proper value of their stock, everything is conducted on a system of guessing at the weight instead of having true figures to form basis of calculation.

6505. The farmer has to deal with the butcher, and I presume the butcher is a better judge than the farmer of what the weight is likely to be?—Yes.

6506. Therefore the farmers do not know exactly what they are selling?—No; they are dependent very much upon the bids of the dealers and butchers.

6507. Do they, as a rule, sell directly to butchers or do they employ salesmen?—They sell to both; in the markets there are both butchers and jobbers; dealers, I think, buy chiefly in the country.

6508. I presume you would say that the farmers are under the same difficulty whether they deal with butchers or with jobbers?—Just the same difficulty.

6509. Have they any means of knowing authentically what the prices current in other markets are?—Only by hearsay.

6510. And I presume what they do hear is from interested parties?—Yes, that is a very important point; I want to get the Board of Trade to give

official quotations of prices realised in different markets.

6511. How is it if the farmers incur loss in this way that they have made no complaint about it?—Farmers think they know the value of a beast as well as butchers. A great many of them wish to adopt the system of selling by live weight.

6512. As a matter of fact, the market authorities are now compelled by Act of Parliament to put up weighing machines?—Yes.

6513. Therefore a farmer, if he chooses, can always ascertain the live weight of his stock?—Yes, he can.

6514. When the live weight is ascertained I suppose there are formulæ by which it is easy to calculate what the weight of the meat would be?—Perfectly easy. Sir John Lawes' tables, recently published, give in a simple form the way this is done.

6515. In your experience have the weighing machines which have been put up in compliance with the Act been much used or not?—They have been scarcely used at all.

6516. Is that owing to indifference on the part of the farmers?—I think it is owing to a want of knowledge on the part of farmers as to the proper proportion of live weight to dead weight.

6517. Do the butchers oppose the use of these weighing machines?—Yes, very much; they go so far as to tell some of the farmers that if they weigh their beasts they will not buy from them.

6518. Have you heard any complaints made that the machines were not conveniently placed or that they were not sufficient for the purpose?—Yes, there have been a great many such complaints. The machines in some of the large markets are made to hold only one beast, and they are put in a very inconvenient place, very often outside the market.

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*Mr. Westley
Richards.*
6 July 1888.

Mr. Westley
Richards.

6 July 1888.

6519. When you say that they are made to hold only one beast, the objection to that, I suppose, is that delay is caused when a number of animals are waiting to be weighed?—Yes, and also the machine looks like a trap; if it was 9 feet wide the animals would walk in without any difficulty; where the machine only holds one animal, you cannot get through any quantity in a reasonable time; it should be made to hold six or eight at least.

6520. What would you propose as a remedy for the existing state of things?—I should propose that the Board of Trade should collect and publish the prices that live animals make per imperial stone.

6521. The prices at every market?—No, only at a certain number of markets; I do not want to interfere unduly with anyone in carrying on his trade, but the prices per stone of live animals should be collected and published in the case of live stock just the same as in the case of corn.

6522. Do you think that the farmers lose seriously by this absence of correct information as regards the prices realised per stone of live weight?—I am quite sure they do. Jobbers buy cattle; they go round and collect them at different farms and in markets; they are often sold two or three times over; that is unnecessary, as it adds to the cost the consumer has to pay.

6523. Supposing a system of averaging, based upon the live weights of animals were established, would that enable farmers to arrive at a fairly accurate knowledge of the carcase weight of an animal?—Yes, I think there is no doubt of it. It is a very easy thing to judge of the quality and condition of an animal, but it is a very difficult thing to judge the weight.

6524. If there was an official quotation of prices, you think it should be given in imperial stones so as to bring about uniformity of weight?—Yes, I think that a most desirable thing to have done and would be the most likely way to get uniformity of weight adopted.

6525. There is now no official quotation for any article except corn?—None.

6526. How would you propose to proceed in order to obtain accurate prices?—I think the Board of Trade should have power to get the prices from a certain number of markets. I find that most auctioneers are willing to give the prices that the animals that they sell realise. I wrote the other day to the largest auctioneers in the kingdom, and he expresses his willingness to furnish the Board of Trade with all the requisite facts.

6527. You would require a certain number of market inspectors?—There must be a certain number of market inspectors; the same people who take the corn returns could take the prices realised for cattle.

6528. Who are the persons who are employed to take the prices of corn?—They are the inland revenue officers. The inspectors of weights and measures in the district could collect the prices per stone realised on the sale of animals. They could also see the animals weighed. This would be a question for the Board of Trade to determine.

6529. There would be a little extra expense incurred?—That would necessarily be the case.

6530. But the means of making the inquiries exist already, you think?—Yes.

6531. (*Mr. Mahony.*) The price per stone live weight would vary very much according to the condition of the animal, would it not?—According to the quality and condition of the animal.

6532. Then, in collecting the prices, you would have to describe the different conditions of the animals?—Yes; just as is now done in the present market quotations given in the newspapers the different qualities are all described.

6533. When it was first proposed to erect machines for weighing live stock were the auctioneers in favour of the proposal?—No, I do not think they were; I do not think the auctioneers, as a body, except in Scotland, care about weighing the animals they sell.

6534. Have they become more disinclined to use the weighing machines since the Act passed?—No; I do not think that the buyers like them. Of course they do not like the true weight to be known.

6535. We were told at the Islington Market the other day that the auctioneers were not so favourable to these weighing machines as they appeared to be at first?—There is only one auctioneer in Islington Market. I think in Islington Market the salesmen appear to be indifferent about it; the auctioneer himself told me that he should very much like to have a weighing machine; he was so much in favour of it that he offered to put one up himself, but was not allowed to do so.

6536. Do you think there is pressure being brought to bear upon the salesmen now by the butchers to sell the animals without having them weighed?—The character of Islington Market has very much changed lately. Now there are a great number of jobbers in it, and of course they are very much against animals being weighed. These jobbers go round to the small farmers and collect cattle, bring them up to the market, and act as salesmen in the market, and these cattle are often sold two or three times over; it is that that we want to get rid of.

6537. In Islington Market they propose to put up one weighing machine near the centre?—Yes.

6538. Will that practically be of any use?—Yes, I think it will; they can weigh eight beasts at a time, and it does not take three minutes to weigh each lot of beasts, and if they found another machine was required they would put one up. A large Canadian importer told me the other day that he had bought 4,000 Canadian beasts; he had had them weighed in Canada, and he said he should have them weighed again on their arrival as soon as the machine was ready in the Islington Market.

6539. Is not the system of weighing live cattle perfectly established in America?—Yes, and in Canada also; they do not sell anything unless it is weighed; they do not sell a pig without weighing it.

6540. Do they weigh sheep?—Yes.

6541. Do they weigh a large number of sheep at a time?—Yes, they also weigh bullocks in large quantities, 40 and 50 at a time. When the system is once established it simplifies business very much.

6542. At the present moment a farmer has practically no way of testing whether his judgment is correct or not?—No.

6543. He may think he has sold a beast very well when, in fact, he may have sold it very badly?—All that a farmer has to go by is the knowledge how the beast has been fed; he would know more than the butcher if he was to sell by weight.

6544. Will you explain what you mean by saying that he would know more than the butcher?—The butcher does not know how the beast has been fed, and if animals were sold by weight the farmer, in addition to knowing the weight, would be able to tell the butcher how the beast had been fed.

6545. Which would give a larger or a smaller proportion of dead weight to live weight?—Yes; the Smithfield standard is 57 per cent. of carcase, but if beasts have been fed over 16 weeks they rise above 57 per cent. of carcase up to 60 or even 63 per cent.

6546. (*Mr. Little.*) You said in answer to his Lordship that farmers sold to dealers and butchers, but is not a large proportion of their stock sold by agents, salesmen, and auctioneers?—Yes, a very large proportion.

6547. The only information which a farmer has as to the value of meat is that which he gets from the newspaper quotations?—That is all.

6548. And those, you think, are not reliable?—I am quite certain they are not reliable.

6549. You have tested them?—Yes.

6550. You have prepared some tables showing the prices realised as compared with the market quotations. Table A. gives the results in the case of 27 of your own beasts?—Yes. It is as follows:—

TABLE A.
Sold to BUTCHER to KILL and WEIGH.

Mr. Westley
Richards.

6 July 1886.

	Live Weight on Farm.	Less 5 per cent. off Farm Weight.	Weight at Market.	Offal 42 per cent.	Carcase 58 per cent.	Estimated Weight per Stone of 14 lbs.	Weights given by Butcher per Stone of 14 lbs.	Price per Stone.	Estimated Value.	Sold for	Per-centage calculated on Carcase Weights given by Butcher.	
											Offal.	Carcase.
1887, August and September.	lbs.	lbs.	lbs.	lbs.	lbs.	st. lbs.	st. lbs.		£ s. d.	£ s. d.		
Average weight of—												
3 Welsh heifers -	1,273	63	1,210	508	702	50 3	47 6				45·13	54·88
6 Irish maiden heifers -	1,166	58	1,108	465	643	45 13	42 11				45·86	54·14
				40 per cent.	60 per cent.							
10 cross bred polled heifers	1,251	63½	1,187½	475	712½	51 0	47 9				43·85	56·15
				42 per cent.	58 per cent.							
8 Irish maiden heifers -	1,210½	60½	1,150	463	687	47 9	44 6				45·73	54·27
27						4)124 10	132 4					4)219·44
						48 9	45 8				Average	54·86

Average per-centage calculated on estimated carcase weight 58·7.

The carcase weights given by butcher are 3 stone (14 lbs.) against the farmer, and the estimated weight is about 1 stone under the actual weight.

6551. Those animals were weighed at home?—
The live weight was taken at home.

6552. And a deduction was made to get at the fasted weight?—Yes, 5 per cent. was taken off from the weight to reduce it to the market weight. Then 42 per cent. was taken off for offal, leaving the carcase weight 58 per cent.

6553. You assume that for every 100 lbs. of fasted weight those beasts would yield 58 lbs. of meat?—Yes.

6554. And when they were weighed by the butcher what per-centage did he give you?—When they were weighed by the butcher the shorthorns averaged

54·20 per cent. (one lot averaged 54·14 and the other 54·27).

6555. The whole 27 averaged 54·86 per cent.?—Yes, but in those 27 there were some polled Scots.

6556. You, having formed an estimate of the weight of the meat, were not satisfied with the return the butcher gave you?—I was not satisfied with the yield of 54·86 per cent. of carcase.

6557. Did you take steps then to ascertain what the remainder of the same lot of cattle did actually weigh?—Yes, I killed 16 more of the same lot at home, and Table B., which I now put in, gives the result in the case of those 16 cattle, killed at home, and weighed at home.

TABLE B.

These 16 beasts were killed at Ashwell and carcasses sent to butcher in order to compare them with the 27 beasts sent to butcher previously when he gave me the weights of the carcasses, the difference speaks for itself. See Table A.

	Live Weight on Farm.	Less Fasted Weight per cent. off Farm Weight.	Weight at Market.	Offal 42 per cent.	Carcase 58 per cent.	Estimated Weight per Stone of 14 lbs.	Actual Weight per Stone of 14 lbs.	Price per Stone.	Estimated Value.	Sold for	Per-centage of Carcase calculated from the Actual Weight.	
											Offal.	Carcase.
1887, November and December.	lbs.	lbs.	lbs.	lbs.	lbs.	st. lbs.	st. lbs.		£ s. d.	£ s. d.		
Average weight of—												
9 Irish maiden heifers -	1,210	67½	1,142½	480	662½	47 4	46 5½				40·63	59·37
				40 per cent.	60 per cent.							
5 black polled Scotch oxen	1,280	66½	1,213½	466	728	53 0	52 13				38·73	61·27
2 cross bred polled oxen	1,393	84½	1,308½	553½	785	56 1	57 3½					
16						3)155 5	158 8					
						51 11	52 12					

It will be seen from the above that the estimated weight is about 1 stone (14 lbs.) under the actual weight when the carcasses were weighed at Ashwell, but when the weight of the carcasses were sent me by the butcher they were 3 stone less than the estimated weights (see Table A.), add to this the 1 stone they were under-estimated, it will make 4 stone (14 lbs.) in each beast loss to the farmer. 42 per cent. is deducted from the fasted weight of the Irish heifers and 40 per cent. from the Scotch oxen. This is the way the estimate is arrived at.

6558. The shorthorned cattle yielded 59·37 per cent. of carcase, and the polled Scotch 61·27 per cent.?—Yes.

6559. Instead of about 54 and 56 per cent.?—Yes.

6560. The result of your killing and weighing at home was that you got about 5 per cent. more weight?—Yes.

6561. If the butcher had quoted a certain price per stone as given to you on his weights it would have been a gross over statement as compared with the actual price that he gave?—Yes.

6562. Now I will take you to another table showing the result in the case of one maiden heifer that you sold at Oakham: I hand it in.

Mr. Westley
Richards.

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TABLE C.
Market Quotation.

1888, April 9. Best Beef 4s. 8d. to 4s. 10d. (8 lbs.).

One maiden heifer, sold by auction at Oakham, for the purpose of testing the price realised, with the market quotations of the day.

Roman figures are the prices realised.
Italic figures are the market quotations of the day.
The block figures show the butcher's estimate of the carcass weight, supposing that he gave the market quotations.

	Live Weight on Farm.	Less 5 per cent. off Farm Weight.	Weight at Market.	Estimated Weight of Offal 42 per cent.	Estimated Weight of Carcass 58 per cent.	Estimated Weight per Stone of 8 lbs.	Actual Weight.	Price per Stone of 8 lbs.	Estimated Value.	Sold for	Price per Live Stone.	Percentage of Carcass.
1888, April 9.	lbs.	lbs.	lbs.	lbs.	lbs.	st. lbs.	st. lbs.	s. d.	£ s. d.	£ s. d.	s. d.	
One maiden heifer (No. 28)	1,344	87½	1,277	537	740	92 4	—	4 2½	—	19 7 6	4 3	57·95
Market quotations	—	—	—	—	—	—	—	4 10	22 7 1	—	4 11	—
Butcher's estimate of carcass weight.	—	—	—	—	—	80 0	—	4 10	19 6 8	—	—	50·13

6563. In this case there was a difference of nearly 8d. a stone, or nearly 1d. a pound between the quoted price and the price you actually realised?—Yes.

6564. Then you have another table relating to some beasts fed by Lord Lucan?—Yes, in April and May 1888.

TABLE D.
Market Quotations.

1888, April 23. Shorthorns, 4s. 8d.
" " 30. " 4s. 8d.
" May 7. " 4s. 8d.

These beasts were fed at Laleham by Lord Lucan, who weighed them alive.

The italic figures show what the beasts would have made if they had been sold at the market quotations of the day.
The Roman figures show what the beasts actually did make.
The block figures show the butcher's estimate of the carcass weight, supposing that he gave the market quotations.

	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.
	Live Weight on Farm.	Less per cent. off Farm Weight.	Weight at Market per Stone of 14 lbs.	Estimated Weight of Offal 42 per cent. per Stone of 14 lbs.	Estimated Weight of Carcass 58 per cent. per Stone of 8 lbs.	Estimated Weight.	Actual Weight.	Price per Stone of 8 lbs.	Estimated Value.	Sold for	Price per Live Stone.	Percentage of Carcass.	Average Price realised.
1888, April 23.	lbs.	lbs.	st. lbs.	st. lbs.	st. lbs.	st. lbs.	st. lbs.	s. d.	£ s. d.	£ s. d.	s. d.		£ s. d.
5 shorthorns, Giblett, salesman, Islington Market.	—	—	516 0	—	523 6	—	—	4 2½	—	109 13 0	4 3	58·0	23 0 0
Market quotations	—	—	—	—	—	—	—	4 8	122 4 2	—	4 8½	—	—
Butcher's estimate of carcass weight.	—	—	—	—	470 0	—	—	4 8	—	109 13 0	—	52·05	—
April 30.													
7 shorthorns, Giblett, salesman, Islington Market.	—	—	710 0	—	720 5	—	—	4 3½	—	154 0 0	4 4	58·0	22 0 0
Market quotations	—	—	—	—	—	—	—	4 8	168 2 11	—	4 8½	—	—
Butcher's estimate of carcass weight.	—	—	—	—	660 0	—	—	4 8	—	154 0 0	—	53·12	—
May 7.													
33 shorthorns, Whit-tome.	—	—	3,480 0	—	3,459 0	—	—	4 2½	—	726 0 0	—	53·0	22 0 0
Market quotations	—	—	—	—	—	—	—	4 8	807 2 7	—	4 8½	—	—
Butcher's estimate of carcass weight.	—	—	—	—	3,112 0	—	—	4 8	—	726 0 0	—	52·18	—
May 7.													
3° shorthorns, Whit-tome, 48.	—	—	290 0	—	294 3	—	—	4 7	—	67 13 4	4 8	53·0	22 11 0
Market quotations	—	—	—	—	—	—	—	4 8	68 13 9	—	4 8½	—	—
Butcher's estimate of carcass weight.	—	—	—	—	290 0	—	—	4 8	—	67 13 4	—	57·14	—

The above beasts were all four year old, had been in loose boxes 22 weeks, had 8 and 10 lbs. of cake a day, and were quite fat and ripe. Have no doubt they would yield at least 60 per cent. of carcass.

* These three beasts were sold by live weight at 4s. 8d a live stone by agreement; they averaged 3 stone less alive than the other beasts and yet made more money

6565. I see in April there were 12 animals sold by a salesman in Islington Market, and the market quotations for the day for that class of cattle were 4s. 8d. per stone of 8 lbs.?—Yes.

6566. Those beasts made 22l. each?—Yes.

6567. And assuming the per-centage of carcass meat to be 58 they made only 4s. 2½d. per stone of 8 lbs.?—Yes.

6568. Or 4s. 3d. per stone live weight?—Yes, they realised on the average 4s. 3d., the market quotation being 4s. 8d., that is about what the difference would generally be about 5d. per stone of 8 lbs. between the market quotations and the price realised.

6569. Then, on May 7th, 33 of the same lot I understand were sold to a butcher, not by a salesman?—Yes, to a butcher.

6570. Those were sold at the same price?—Yes, at 22l. each.

6571. And they realised 4s. 2½d. according to your estimate?—Yes.

6572. Then I see, on the 7th of May, there were three which were sold by the stone of live weight?—Yes, those were three beasts which had not done well, and were three imperial stones lighter than the average weight of the others.

6573. They were beasts that were not good enough to go with the others?—They were beasts that were not good enough to go with the others.

6574. And they were sold at what was the market quotation of the day on the actual live weight?—Yes, on the actual live weight, 4s. 8d. a stone.

6575. Which the others were assumed to have made by the butcher or by those who made the quotations?—Yes.

6576. And those three realised more money than the other beasts?—They realised more money than the other beasts.

6577. Then you have another table, showing the results in the case of some polled Scots fed by Lord Lucan?—Yes.

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TABLE E.

Market Quotations.

1888, May 7. Scots, 4s. 10d.

These beasts were fed at Laleham by Lord Lucan, who weighed them alive.

The *italic* figures show what the beasts would have made if they had been sold at the market quotations.

The Roman figures show what the beasts actually did make.

The block figures show the butcher's estimate of the carcass weight, supposing that he gave the market quotations.

	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.
	Live Weight on Farm.	Less per cent. off Farm Weight.	Weight at Market per Stone of 14 lbs.	Estimated Weight of Offal 40 per cent.	Estimated Weight of Carcass 60 per cent. per Stone of 8 lbs.	Estimated Weight.	Actual Weight.	Price per Stone of 8 lbs.	Estimated Value.	Sold for	Price per Live Stone.	Per-centage of Carcass.
1888, May 7.	lbs.	lbs.	st. lbs.	lbs.	st. lbs.	st. lbs.	st. lbs.	s. d.	£ s. d.	£ s. d.	s. d.	
Whittome, 31 polled Scots.	—	—	2,163 0	—	2,270 1	—	—	4 0½	—	462 0 0	4 3½	60·0 Sold for 30l.
Market quotations	—	—	—	—	—	—	—	4 10	548 18 3	—	5 1	—
Butcher's estimate	—	—	—	—	1,912 0	—	—	4 10	—	462 0 0	—	50·54 on butcher's estimate.
									31)548 18 3			
									26 2 5½	23 0 0		

These polled Scots were all quite first class, four years old, had been in loose boxes 22 weeks, had 8 and 10 lbs. of cake a day, and were quite fat and ripe. Have no doubt they would yield at least 63 per cent. of carcass.

6578. They were sold on the 7th of May, when the market quotation in the newspaper was 4s. 10d.?—Yes.

6579. And they made only 4s. 0¾d.?—Yes.

6580. On the assumption that the carcass meat would be 60 per cent.?—Yes.

6581. If the price realised had been in accordance with the market quotation how much more would they have made?—Instead of selling for 22l. they would have sold for 26l. 2s. 5d.; there was a loss of 4l. 2s. 5d.

6582. You are perfectly clear in your own mind that the published quotations of meat greatly exaggerate the price?—I have no doubt of it.

6583. And without imputing to butchers that they are any worse than other people, you would say that it is their interest to exaggerate prices?—It is the interest of salesmen to exaggerate the price that fat stock realises, in order to get beasts sent to the market. Butchers under-estimate the weight of animals, and appear to think it part of their legitimate profit.

6584. If you could establish quotations of the price per stone or per unit of live weight you would at least be dealing with facts?—Yes, that is all I want.

6585. I believe meat is the largest agricultural product in the kingdom?—It is, by far.

6586. May I take it that it is about 84,000,000l.?—Yes.

6587. Including hides and wool?—Yes.

6588. The total amount of agricultural products being 207,000,000l.?—Yes. I have here a letter from a butcher, in which he says: "Newspaper reports are very misleading, as they are quoted by London salesmen on purpose to get beasts there; then they give them away." Another butcher says: "Now in regard to what you keep quoting about 5s. a stone alive, that is nothing to go by; that quotation is, as you well know, all guess work." Those are both from butchers to whom I tried to sell beasts at market quotations.

6589. The Government are large purchasers of meat for the Army and Navy?—Yes, very large purchasers of meat.

6590. If they could buy at anything like the real prices of meat there would be a considerable saving?—Yes.

6591. They would know what they were actually getting?—Yes.

6592. (Mr. Charrington.) Does the difference between live and dead weight vary very much in different breeds of cattle?—Yes, it varies a good deal.

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6593. It depends also, I suppose, a good deal on the condition of the animals?—The Smithfield standard is 57 per cent. of carcass; that is, 8 lbs. of meat in every 14 lbs. of live weight. It is a very easy thing to judge of the condition and to judge of the quality, but there is nothing so difficult as to judge of the weight.

6594. The Commissioners were told at Islington on Monday, by some of the butchers, that they were better judges of weight by the eye and the touch than they would be by actually weighing the animal?—They say so, but wherever I have seen it tested I have found that they knew very little about the matter. Butchers know more about it than anyone else, from the experience gained in their trade; and some are very clever.

6595. (*Sir James Corry.*) Lord Lucan sells all his own cattle?—Yes, he is a very large farmer; he has only lately put up a machine, and he finds that he has been done out of 10 per cent. all his life, the quality of Lord Lucan's beasts was perfectly satisfactory to the butcher who bought them, yet his estimate of the carcass weight, if it had been correct, would only have given 50 per cent. of carcass, which

was an absurdity; it would have been 60 per cent. at least.

6596. (*Mr. Charrington.*) Are you aware whether the butchers object to buy by live weight?—Yes, they do; I do not think it would ever hurt a butcher to buy by weight. Whenever meat is 10s. a stone of 14 lbs. the butchers often give too much for it.

6597. (*Chairman.*) We may presume if there is any uncertainty the butchers take care that they shall not lose by it?—Yes, they always protect themselves by understating the weight of an animal. It is not a practical thing to sell to butchers to kill and weigh, it is impossible to see the things weighed, they are weighed at 5 o'clock in the morning, perhaps three at a time, and unless you have someone on the spot you cannot depend upon the weight. I sold last year 40 beasts to a butcher at Brighton, and as he was a stranger to me I said, I shall brand the near fore-foot of these beasts, and I shall employ the inspector of weights and measures to identify my beasts and to see them weighed, and I got the proper weight; but that is not a practical thing with small farmers; they could not carry out such a system.

The witness withdrew.

Sir John
B. Lawes.

Sir JOHN B. LAWES examined.

6598. (*Chairman.*) I believe you have written a number of papers advocating the sale of live stock by weight?—Yes, I have recently.

6599. And you have taken considerable pains in endeavouring to determine the relative proportions of live and dead weight?—Yes. A great many years ago in conjunction with Dr. Gilbert, as part of the statistics of farming, I investigated very thoroughly, not only the question of the proportions of live and dead weights of stock but the absolute composition of oxen, sheep, and pigs.

6600. What do you consider to be the total value of the meat sold in this country by farmers to butchers?—I have only two sets of statistics, not my own production, but I think they are tolerably correct, one issued by Mr. Howard and the other by Mr. Turnbull, and they both agree very nearly. Mr. Howard gives the value of meat, hides, skin, and wool as 84,885,492*l.* you may call it 85,000,000*l.* roundly; and Mr. Turnbull's figures are very much the same, he gives the retail value of meat and offal as 89,600,000*l.*

6601. May we take it that in the great majority of cases the sales consist of live animals sent to the various markets without any weights being taken?—Quite so.

6602. Is it your opinion that the prices of meat published in the papers are misleading?—They are misleading in this sense. If I weigh a quantity of animals alive I can tell with very great accuracy, if they are my own breeding and feeding, what they will weigh dead. If I send to the London market and look at the quoted prices for that meat in the paper, I find that instead of my animals weighing when killed 55, 56, or 58 per cent., as I know they ought to weigh, they only weigh perhaps 50 or 51 per cent. I know with absolute certainty that the figures are misleading and incorrect.

6603. Am I right in saying that the proper proportion ought to be 8 to 14?—That is a very good average; they vary very much according to whether they are very fat or very lean, but that is a very good standard.

6604. You say if you were to take the quotations from the papers as a guide the proportion would be about 7 to 14?—Or less than that even. I have not brought any absolute statistics on this question, because I knew Mr. Westley Richards would put some statistics before you which are very convincing in my opinion.

6605. Is the result that the farmer does not obtain the proper price for what he sells?—Quite so. The

farmer very seldom obtains for his stock the quoted price and the quoted weight. If he receives the price per stone he does not receive the real weight of his carcass, if he receives the real weight of the carcass he does not receive the price quoted.

6606. But can you explain how it is that farmers who are constantly in the habit of breeding animals for sale are not themselves aware of the proportion that ought to exist between the live weight and the dead weight?—I can only explain it by farmers having the greatest possible dislike to figures, or to studying any statistics at all, that is the only reason I can give you.

6607. They have, if they choose to use it in every market now, the means of weighing animals?—They ought to have, but they have not, because there are hardly any machines put up yet.

6608. But there is an Act of Parliament which says that machines must be put up?—Yes, but they do not exist even in the metropolis at this moment.

6609. Do you mean that the Act is disregarded?—The Act is disregarded; those who are interested—that is, the buyers and salesmen—object to the weighing of animals, and the farmers are not sufficiently impressed with the importance of it.

6610. The Legislature has endeavoured to protect them from the possibility of unfair dealing and they have not cared to avail themselves of the protection?—Quite so.

6611. What is the remedy you would propose for that state of things?—The next step in protection that I should propose is that we should have official quotations; now that we have weighing machines we want official quotations of weights and prices.

6612. You can insist upon a weighing machine being provided in a market, but you cannot insist upon the farmer using it?—No, I feel certain that sooner or later he will use it, and he wants something like an official quotation of prices and weights.

6613. What do you call an official quotation? Do you mean a quotation formed on his own judgment of what the current prices are, by some official person?—I mean the current price and weights, given by an official person; for instance, you see in the newspapers every week such quotations as this, "Prime Scots, 5s. a stone." We should like to have a few of those prime Scots weighed upon the scale and the weight recorded by some public officer with the prices fetched, where they could be ascertained.

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6614. You would not have every animal weighed that was offered for sale?—If 20 of each class were weighed that would represent that particular class.

6615. You would suggest that an officer should be appointed to give the official quotations who should direct what animals should be weighed?—He would direct what animals should be weighed.

6616. The object of that would be that the farmer would have the opportunity of comparing the price so recorded with the market quotations?—Exactly so.

6617. But do you think that anything will effectually protect the farmer until he learns to protect himself?—I am afraid not; he does not at present seem at all anxious to have these cattle weighing machines used.

6618. An Act of Parliament having been passed for the benefit of certain people, those people do not care to have it put in force?—Quite so.

6619. (*Mr. Mahony.*) To what officer would you commit the duty of recording the prices?—A person appointed by the Government; I do not know exactly what he would be, he would be a sort of clerk of the market.

6620. You would have such an officer in a few of the larger markets?—Yes, in London, Liverpool, Bristol, Newcastle, perhaps, some of the great centres.

6621. The position of such an officer would be a very responsible one?—A very responsible one.

6622. There might easily be an understanding in the selection of the animals to be weighed?—He might very easily be taken in, no doubt it would be a very responsible position.

6623. You only propose the appointment of such an officer in a few of the larger markets?—Yes, to give certain standards; in fact, I should only propose that cattle should be weighed to begin with, and then it could be extended to sheep and pigs afterwards.

6624. At the present moment the market authorities are bound to erect weighing machines in every market?—Yes, they are; but they have not done it everywhere; it is not done in markets in my neighbourhood—Hatfield, Luton, and Hemel Hempstead.

6625. In small markets it would be a very heavy cost to erect a machine to weigh a number of animals would it not?—Oh, no.

6626. You think it would not be very much dearer than a machine for weighing one?—No, it would not be anything in a town of any importance.

6627. A machine for weighing one animal only is very objectionable, is it not?—No, I find no difficulty; I have a machine that weighs one animal; I weigh all my animals.

6628. It is one thing to weigh animals in your own private building and it is another thing to weigh them in the markets when they have been frightened to a certain extent?—There is no more difficulty in weighing an animal than driving him into a pen—you have to hustle him in by a certain amount of force in the one case as in the other.

6629. This weighing would go on during the market?—Yes.

6630. The animals would have to be taken out of the pens and driven into these weighing machines?—But there would be no difficulty in it whatever.

6631. Mr. Westley Richards said that it was very difficult to get an animal into these small weighing machines?—Unless the machine is perfectly flat on the ground an animal does not like to tread upon a hollow surface.

6632. Do you know that no market authority has power to levy tolls unless they have a weighing machine?—Yes, I know that, but I know they do levy them though they have no machines.

6633. (*Mr. Little.*) Is not it rather the other way, that a market authority taking no tolls is not compelled to erect a machine—it is not that the power to take tolls ceases?—I think you are quite right in putting it that way.

6634. You would say that the weight of meat in proportion to the weight of the live animal can be

determined within very narrow limits now?—Within very narrow limits.

6635. We know that you have given particular attention to the subject; will you tell us what about the limits of deviation in the weight?—You find a very great variation in different breeds and different stages of fatness; would you say the per-centage would range from 50 per cent. up to 70 per cent.?—Yes.

6636. You have compiled and published a series of tables for the information of farmers in which you have classified cattle according to condition, breed, and so on, and given what ought to be the per-centage of dead meat to live weight in each case?—I have tried to classify them.

6637. All such estimates can only be approximate?—Yes.

6638. Stores you put at 50 to 51 per cent.; fresh stores 52 to 53 per cent.; moderate fat 54 to 57 per cent.?—Yes.

6639. Another class which you would call fat range from 58 to 62 per cent.?—Yes, they really go on up to 70; those are prize animals.

6640. An official quotation you would consider to be a record of an actual fact?—A record of an actual fact.

6641. And if you can get the price at which the animal is sold and his live weight you have got a fact?—I have got a fact.

6642. That is something more than you have at present?—Yes.

6643. In the case of corn that fact is ascertained and recorded by the State?—Yes.

6644. It would not be going very much further to compel either purchasers or sellers of meat to do what the purchasers of corn have to do now?—I think not.

6645. It would not be necessary to record all sales; representative or sample sales would be quite sufficient?—Yes.

6646. If properly graded?—Yes, as you do corn; you do not weigh every bushel of corn.

6647. There is a little difference between corn and meat. In a proper record of the prices of meat you would have to grade animals according to quality or condition or breed?—Yes, and that record might be published every week. I would grade animals according to breed and fatness.

6648. Some breeds will yield a larger per-centage than others?—Yes.

6649. You said the metropolitan market authorities had not put up any weighing machines; but is not this the state of the case, that they put up one in a very inconvenient situation?—I understood that a proper machine is in course of erection.

6650. When I was at Islington the other day I asked the inspector whether there was a weighing machine, and he said there was one. I was afterwards informed that it was in the lairs, and in such an inconvenient position that it was of no use, and it appears that they are about to put up a larger one in a more convenient situation?—I wrote to them to ask them whether they would make their standard the imperial stone, and they said they would, so I suppose the weighing machine is in course of erection.

6651. (*Mr. Charrington.*) In order to arrive at correct quotations, ought it not to be made compulsory on the salesman, when he sells cattle, to give the prices realised to the clerk of the market?—Yes, I think it should.

6652. Or else you would never get the prices?—We get them somehow now.

6653. They are guess quotations?—I do not care so much about the price by itself as I do about the weight connected with the price, because then I can check for myself.

6654. What you say is that a certain proportion of animals of each class should be compulsorily weighed in the market alive, and the live weight handed in with the price of the animal, and what price the animal sold for per stone?—Yes; and, moreover, wherever there was a weighing machine I could order

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my animals to be weighed, and then I should have a check.

6655. (*Chairman.*) I suppose compulsory weighing of every animal in the market would be practically impossible?—Yes, unless they run them over 40 or

50 at the time as they do in America. They weigh every animal sold in America.

6656. In a rough way?—No, they weigh them very accurately; where we sell one animal they will sell 50, but they are all weighed.

The witness withdrew.

MR. LITTLE TOOK THE CHAIR.

Mr. Albert
Pell.

Mr. ALBERT PELL examined.

6657. (*Chairman.*) You have farmed extensively in different parts of England?—Yes.

6658. And you are a member of the Council of the Royal Agricultural Society?—Yes.

6659. In 1879 you visited America as an Assistant Commissioner under the Royal Commission on Agriculture?—Yes.

6660. So that you are acquainted not only with the agriculture of England, but also with that of the United States?—I am. I might add that I have been twice to the States since the year 1879. I have been through the country right away to the Pacific.

6661. You are interested in the cattle business in the States?—Yes, I am interested in a private cattle company, not a public company.

6662. And therefore you are acquainted with the method of marketing cattle, both in England and in the States?—Yes.

6663. You have had an opportunity of comparing the system obtaining in England with that in the States?—Yes.

6664. Will you give us some information as to the method adopted in the States?—The method of marketing cattle in the United States, with the exception of milch cows is the method adopted in marketing almost all other articles which can be so treated in the United States, namely, by reference to weight; and the citizens of the United States appear to be so satisfied that this is the safest and best method of carrying on business that in every town, even the smallest, in any place that could be dignified with the name of a town, you will find weighbridges, not only in the market, if there is one, but up and down the main street as frequent, I might almost say, as lamp-posts are here in some towns; so that every opportunity is offered for weighing cattle outside the market, while inside the market there are the official machines. The markets I am acquainted with in America—I leave out New York, because the market for beasts there is not very large for live animals; but I would refer to Chicago (Illinois), St. Louis (Missouri), and Kansas City (Arkansas), with all of which markets I am acquainted. Suppose those are the three largest markets for cattle in the United States: what is done at Chicago will exemplify what is done in the other two great towns. Cattle being brought into the stock yards are put into the hands of station agents who sell at a price per cwt. The cwt. in America being 100 lbs. (the Liverpool cental), and it having been settled how much is to be given per cental, that is to say, per cwt., the animals are driven straight away on to a balanced platform considerably larger than this room, covered over with a shed. I saw on one occasion 42 head of stock driven on to the platform at Chicago, and they weighed as nearly as possible 1,000 lbs. an animal; they were Texan cattle, not so heavy as eastern cattle would be; they were all weighed at one operation, and I do not think they were on the machine more than five minutes, then the clerk handed over a ticket of the weight to the salesman or consignor. The calculation was very easy, so many centals of live flesh at so much per cwt. Dollars and hundredweights, owing to the decimal system, work out easily into cents for the pound; if you give $2\frac{1}{2}$ dollars or 5 dollars a cental for a beast that will come out $2\frac{1}{2}$ cents or 5 cents the lb. directly.

6665. That is live weight?—That is live weight.

6666. Is any deduction made on account of these animals not having been iasted?—No, there is no official deduction made except in the case of hogs—that is immaterial—but in the case of sows said to be “piggy” or “stags” boars that have been cut, something is thrown off the weight to make up for quality, in fact; but there is no deduction in respect of horned cattle. I never saw any sheep weighed, but I suppose they weigh sheep in the same way.

6667. Then cattle are classified; how is that accomplished?—To show how cattle are classified, I have brought with me, for the information of the Commission, the Report of the Department of Agriculture at Washington in 1874. They appear to classify animals under different terms in the different markets. In this report the cattle are graded thus: “Extra graded steers of from 1,400 to 1,450 lbs.” Then the price is given per cental, 5 dollars 80 cents—that would be per 100 lbs. Then the next grade is “choice three-year-old graded steers, 1,300 to 1,450 lbs.”; they are not worth quite as much, 5 dollars 30 cents per cental. Then we come to “good” of a certain weight, 4 dollars 90 cents. Then “medium” of a certain weight, 4 dollars 50 cents. Then we come to “lower grade natives,” 1 dollar 75 cents; those would be western cattle. Then we come to “Texans, choice corn-fed,” 4 dollars 25 cents. Next we come to “Texans, north wintered,” 3 dollars. Then the next is “Texans, thro’ drives”; they would be driven cattle, 1 dollar 75 cents per cental. So you have the prices given varying with the grade of the animal. This, of course, is rather a condensed statement. In Chicago they would have other terms to describe more accurately the divisions between those different grades.

6668. You are quoting now from an official publication; do you know what means the department responsible for that publication takes in collecting that information?—This is prepared, I think, by the statistician, Mr. Dodge; he is very inaccurate in some respects, but I suppose he gets these returns from the Produce Exchange Reports, which are published every year.

6669. You are not aware whether there is any system of obtaining officially at the principal markets the actual records of prices?—I do not know that there is any official record taken, but the Produce Exchange Reports are very full; for instance, the one that comes out annually for Chicago is as large a volume as this. The secretary to the stock and transit yards at Chicago makes his returns probably to the Produce Exchange, and the secretary to the Union stock yards would know from the commission agents exactly what had been realised on sales.

6670. You are probably aware that we have in England in the Registrar-General’s Report a quasi-official statement of the value of meat?—Yes.

6671. And that this is simply derived from the newspaper reports?—I thought it used to be taken from the Greenwich contracts for dead meat. I suppose we get it from the newspaper reports. I may mention that this morning I had a letter informing me that some of our cattle are going to be sold in Chicago market, and we should be perfectly satisfied by the statement in the Chicago papers. Our cattle would be sold as first class Colorado or high grade beasts. I, as chairman of the company, will look at

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the newspaper report of the prices realised in the Chicago market for that class of beasts, and we shall be perfectly satisfied with the correctness of that report. Then a report will come over giving the absolute weight.

5672. That will be given by an independent person who is an officer of the market?—The clerk of the market will give the weight and we will look at the newspaper report for the prices. We know that the description given in that report will be sufficiently accurate to describe our class of cattle.

6673. Having given us some information about the American system, will you contrast it with your experience of selling, or attempting to sell, cattle in England?—I consider the market reports in England to be of very little value indeed. I could furnish the Commission, if they wished it, with the newspaper reports in relation to the market at Leicester, in which in almost every instance, week after week, the market is described as being better—that prices have risen $\frac{1}{4}$ d. in the pound—so that at the present moment, if those reports were worth anything, beef would be standing now at something like 30s. a pound. I looked at the report yesterday, and I found just the same thing—that prices were about $\frac{1}{4}$ d. a pound better.

6674. (Mr. Charrington.) You do not find it so when you sell stock there?—No.

6675. (Chairman.) You would say that the quotations are unreliable and misleading?—I think so myself; certainly they do not assist you in arriving at anything like the approximate value of cattle.

6676. What remedy would you suggest for that state of things?—I think you might adopt the American system of weighing the cattle and describing them. It is not very difficult in England to describe in a few words the class of animal you are selling: "small heifers"; "cows" of a certain weight; "Herefords" of a certain weight; "shorthorns" of a certain weight; "polled cattle" of a certain weight; and so on.

6677. You think it would assist the farmers if it became the practice to sell cattle and sheep by live weight?—I think it would, materially.

6678. At the present time they have the opportunity of weighing in the markets?—They have now.

6679. But do they find any difficulty in selling by weight?—There is a town in the Eastern Counties which has a very important market—one of the most important markets with which I am acquainted—where some of my animals go. In passing through that town within the last month or two, since the weighbridge has been set up, I met a butcher in the street, to whom I said, "What have you got in your new market here?" He said, "A thing for weighing cattle." I said, "Is it used?" He answered, "Yes, it is, but it will not be used above once." I said, "Why not?" He said, "We do not mean to buy of men who put their things on that machine." The other day I was there, and I asked again, "Has this machine been used?" The answer I got was, "Yes; Mr. So-and-so put on four cattle, but he took them away again; they would not be sold. We are not going to buy cattle that have been put on this machine." In that market there are no sales by auction; the bulk of the business is conducted by salesmen. It is one of the biggest cattle markets out of London.

6680. At any rate there is a prejudice on the part of butchers to the use of the weighing machine?—There was distinctly there. I went to Leicester this year to the large fair on the 12th March with Mr. Westley Richards, and I found the machine was not ready for use; the approaches were out of order. There was a difficulty in finding anybody whose duty it was to attend to it. At last, however, a man came, a constable, and I said to him, "If the machine cannot be got in order to-day I must go and caution people to pay no toll." He said, "Pray do not do that." I said, "I do not want to do anything disagreeable, but cannot you get the machine ready?" Upon that the machine was got ready, and we weighed

about 1,000l. worth of beasts. There were two lots, one of Hereford oxen, the other shorthorns, both in splendid condition. The cost for weighing was a mere trifle; we could get five cattle on the machine at a time. The Herefords came out exactly 5s. the imperial stone live weight, and the shorthorns 4s. 6d. Both lots were store cattle for feeding.

6681. If the butcher is very much averse to using the weighing machine the fair presumption is that he gets an advantage by the present system?—I think we may assume that.

6682. The disadvantage is to the farmer and also to the consumer?—To the farmer and to the consumer, and also I think it is a disadvantage to those who conduct business generally. Business would be done so much more rapidly with a weighing bridge; there would be less higgling.

6683. Do you think that it would be possible to obtain official quotations of the price of stock by live weight?—I think there would be some difficulty about official quotations, because it implies compulsion and interference with the independence of vendor and purchaser. I do not say that difficulty could not be overcome.

6684. You have no doubt that they would be serviceable if they could be obtained?—No doubt about it. Inasmuch as the State compels an auctioneer to take out a license before he can sell cattle in the market I do not see why they should not go a step further and impose the condition that what he sells should be weighed.

6685. You think if the difficulty of obtaining such official quotations could be overcome it would be very desirable that such quotations should be obtained and published?—I think most desirable.

6686. Not only for the information of the farmer who sells and the consumer who buys but for statistical purposes?—Yes, they would be of great service also to the Government in enabling them to arrive at true prices when they are making contracts.

6687. And they would also give some basis for the value of land, taken in connexion with the prices of other commodities?—Undoubtedly, and also you would be able to form an opinion of the capability and character of the salesman to whom you committed your cattle.

6688. There is no difficulty found in America in dealing with live weight; it has become the unit of sale, has it not?—It is universal even with horses; horses and mules are all weighed. Kansas city is the greatest market in America for mules, and they are bought there without being seen; they are bought on the statement of weight. Two horses may look equally well in build, action, and similar in every respect, but if you buy the heavier of the two you have got the better horse. Of course, in the use of the machine you are liable to trickery. I have been told that at one market already people have got round and jobbed the machine with their sticks. All this shows the disinclination there is on the part of the middlemen and jobbers to submit animals to this test. A trick in America with pigs is to give them sand with a little sugar in it; they will eat several pounds of it.

6689. There is this difference between the quotations of prices in America and in England, that in the States they are based upon fact while in England they are mere guess work?—In England they are based on conjecture, the conjecture being made sometimes by interested persons and frequently by very incompetent persons.

6690. (Mr. Mahony.) Do you think you would be justified in telling people not to pay tolls where there was no machine?—Yes. I believe they cannot enforce the tolls unless a machine is in operation. In the case to which I referred I knew they would get the machine to work on being pressed a little, and they behaved very properly in the matter. With regard to the machines in use in England the English ones are better than those I saw at Chicago, in one respect: they have an automatic register of the weight; you push a card in and you get the actual

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weight of the animal or article stamped on the card, you turn it round and push the other end in and you get the same thing repeated—you get one half for the vendor, the other may go to the buyer of the cattle.

6691. Do you know of any market where the people have refused to pay tolls because no machine has been erected?—No, I do not.

6692. Do you know whether in some of the smaller markets they have attempted to meet the requirements of the Act by merely putting up a rail round an existing weighing machine?—I have heard that the authorities of the Metropolitan Meat Market have been threatened with non-payment of tolls or with a suit for the recovery of tolls that have been paid this year in consequence of the inadequacy of the machine and the corporation have taken up the machine that they put down at the commencement of the year and replaced it with a larger instrument.

6693. They have not done it yet?—Then they are about to do it. That is what I have heard has taken place, that they have been threatened with proceedings for taking tolls without a sufficient machine.

6694. Do you know whether in smaller places they have simply put a railing round a weighing machine which may have been already existing?—That is all they have done at Northampton.

6695. Is that practically of any use?—I should think the Corporation would find themselves in a difficult position if they were asked to weigh 500 head of cattle. I do not see how they could do it during the market time; it is hardly doing what the Act requires.

6696. You seem to doubt the possibility of getting official prices in this country?—I think it would be possible, but I am sure the Commission will see that there would be a difficulty in passing an enactment which said you shall not sell your animals in the market without submitting them to the weighing machine and making a statement disclosing what you have made of the animal. Perhaps there is not so much in the objection to disclose the price realised, because there is a disclosure of the prices at every auction sale, the biddings being open.

6697. For all practical purposes it would be quite sufficient to get quotations from two or three of the chief markets, would it not?—Yes, in different parts of the kingdom.

6698. And it would only be necessary to weigh a certain number of beasts of each class?—That would be all that would be necessary.

6699. There would not be any great difficulty in that?—No. The prices fetched at different times in the day in a market will vary very much. A train may come in from the Midland counties in the afternoon bringing people who want one particular class of animal.

6700. How do you think it would work if in the chief towns you had an inspector whose duty it was to weigh a certain number of animals of each class and ascertain the price?—There would be this difficulty, that you might be interfering with the removal of animals after they had been bought, and then

comes in that nice question of making a person disclose the financial part of his business. I think you might get the information you want from the auctioneers. I think that something might be done with them in the way of requiring them to make a return of the weight and the prices of all or some of the animals they sell, because you do require that in the case of corn dealers, the dealer is obliged to give the price he has given for the corn, and in an indirect way the weight of corn, because the Weights Act reduces the Imperial quarter into weight.

6701. If you only weighed a certain number of beasts that each auctioneer sold you could not leave the selection of those beasts to the auctioneer?—No.

6702. (Chairman.) Have you anything to add on the subject of official quotations?—I think the official quotations which would be published by the Board of Trade, if the collection and publication of them were entrusted to that department, would be frequently referred to, or would be regularly referred to, by agents and landowners when they were endeavouring to arrive arbitrarily at rental values. At present all the evidence they get is from the newspapers, which really goes for nothing. It has always been a surprise to me why grass land has dropped as it has done during this depression of agriculture in the Midland counties; it has dropped in a most extraordinary way; and I think if we had that dropping off upon grass land stated side by side with the official quotations as to the value of meat, we should have a problem put before us extremely difficult to work out, a problem which you could not quite solve by the test of the prices of produce. In Scotland rents are adjusted upon corn averages; but in England you can do nothing in the way of adjusting rents by the value of meat on account of the want of any official or accurate information as to its value in the market. Then I think we are in a much better position now to ask the Government to secure us official quotations, because we have made this great step that in every large market there is the means of obtaining the live weight through the machine. Then, again, there is a great difference in the mode of selling animals now, there being such a large amount of stock sold by auction compared to what there used to be. With sales by auction, and with the weighing machine, it seems to me that in a good many of the principal markets in England, if not in all, there would be no very great difficulty in getting at official quotations after existing prejudices were removed.

6703. (Mr. Mahony.) Do you mean that the fall in the value of grass land in the Midland counties has been proportionately larger than the fall in other districts?—Yes, it is one of the strangest things; nowhere in England has the depression of agriculture been more felt than in Northamptonshire and Leicestershire. The very best grass land, of which the area is not extensive, worth 3*l.* to 3*l.* 3*s.* an acre, has not been thrown on the market, but take ordinarily good land, the value has gone down to an extent that cannot, in my opinion, be accounted for by the drop in the price of meat.

The witness withdrew.

Mr. THOMAS SWAN examined.

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6704. (Chairman.) You are a member of the firm of Messrs. John Swan and Sons, Live Stock Agents, carrying on business in several different places in Scotland?—Yes.

6705. Will you name the places?—We have regular establishments at Perth, Glasgow, Edinburgh, St. Boswells, and Earlston.

6706. You do a very large business in those markets?—Yes.

6707. In selling both store and fat cattle consigned to you for sale by farmers and others?—Yes.

6708. You sell by private sale as well as by auction?—Yes.

6709. You have a very large business in Edinburgh?—Yes.

6710. How often are your sales there?—Every Tuesday for fat stock.

6711. And for lean?—And for lean on Wednesdays.

6712. Where are those sales held?—In the cattle market on the Wednesdays, and on our own premises at the hay market on Tuesdays.

6713. Your own premises being within the limits of the Edinburgh market?—Yes.

6714. And you pay tolls on the stock sold on your own premises?—Yes, the corporation exact tolls on

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everything sold within a radius of two miles of the police boundary.

6715. What is the amount of those tolls?—4d. a bullock and 1s. a score of sheep.

6716. Will you give us some idea of the extent of your sales?—We sell on an average from 800 to 1,500 fat cattle a week, and during the autumn, including stores and fat we sometimes sell as many as 4,000, a week. I should think we average 5,000 sheep a week all through the year.

6717. Have you had any experience as to selling stock by live weight?—Yes, I have.

6718. Will you give us the result of your experience?—I had seen the system of selling by weight universally adopted in America, and I came to the conclusion that it was the proper mode of selling. Our system is this:—we have a weighing machine inside the auction ring where the man stands, and as a lot comes into the ring he marks the weight on a slate. Then as each account sale is furnished we put the live weight in the margin and send it as part of the account to the sender, showing how much per cwt. his cattle makes. One advantage of this system is that the cattle are much more levelly sold than if they are sold off-hand.

6719. Have you found any difficulty in getting butchers and dealers to buy cattle that have been weighed?—Not the slightest.

6720. Because, as a matter of fact, in your auction ring they have no opportunity of buying cattle that have not been weighed?—No, the weight is put up before them.

6721. You weigh the animal and publish the weight and the result is that you get a more even price?—It does not alter much; if the quality is similar I do not think the difference between one sale and another on the same day would be 3d. a cwt.

6722. When you return the account of your sale to your employer you put in the account the live weight?—Yes.

6723. And the price realised?—Yes; there are many English dealers who come from Yorkshire to Edinburgh, and sometimes they will buy the animals privately according to the weight given them by the foreman.

6724. You find that buyers put different values upon cattle according to different breeds, different degrees of fatness, and different ages?—Yes.

6725. That they do for themselves?—Yes.

6726. Would there be any difficulty in quoting prices of different grades of animals?—No.

6727. You have calculated from a large number of instances what the results have been per unit of live weight?—Yes.

6728. Should you be able to give us a return classifying the cattle sold by breeds, quality, and fatness, and giving the live weight fasted, the actual ascertained weight of the meat; the per-centage of the live weight as represented by the meat and the price realised per imperial stone of live weight?—Certainly; I will furnish the Commission with such a table. See Appendix E.

6729. You have had no difficulty I understand in selling stock with the weights attached, and you have had no difficulty in getting from the butchers in a great many instances the actual weights of dead meat?—I have found them very willing to give them.

6730. Taking ordinary fat stock, what is your view of the per-centage of carcass meat that they would yield?—I should think that Irish bullocks fairly fed would yield about 57 per cent.; Irish cattle winter fed in Scotland ought to yield about 59 per cent. I should think a good black polled bullock should dress about 62 per cent., and I should think a shorthorned bullock bought in last autumn, a year and a half old, should dress rather over that. If you get young animals that have never lost their calf flesh they dress more per cent.

6731. You also sell store stock by weight, do you not?—No, we do not sell them by weight; we sometimes weigh them just as an experiment.

6732. As a matter of fact, irrespective of the proportionate weight, is there a difference in the value of foreign and English cattle?—Yes, the difference between the value of a good Jutland bullock and a useful home one would be about 6s. a cwt.

6733. In favour of which?—The home.

6734. Do you find any difficulty in comparing the quotations of different markets in consequence of the various weights used?—Yes, I do; the stone varies in different parts of England, in London the weight to the stone is 8 lbs., in Liverpool 14 lbs., in Leeds 16 lbs., in Manchester 20 lbs. (they count there by the score); and in Edinburgh it is 17½ lbs. to the stone.

6735. What is the origin of that?—It is the Dutch stone; of course it is very perplexing to anybody who does not know the different weights to read the different market reports. I consider that there ought to be a uniform weight applying to all markets, people would then understand better what they were about.

6736. Do you think it would be desirable to obtain official quotations of prices in the leading markets?—I do; people would accept such quotations as being more thoroughly accurate than any obtainable now.

6737. Do you think it would be possible practically to obtain them?—Nothing could be more easily done. In Glasgow, for instance, there is a weighing machine on which the animals sold by the auctioneer are weighed, and anybody could see the weight of every bullock that was sold. It is an open auction, and any one could ascertain the price fetched.

6738. Where sales were made privately there might be a difficulty in getting people to disclose the amount that was realised, might there not?—Yes, but in an auction sale, of course, throughout the sale you have the general run of all the classes of cattle on offer.

6739. The prices there must be public?—Yes, they are bound to be public.

6740. Is a very large proportion of your stock sold by auction now?—We sell by auction just now in the Edinburgh Market, on an average, 600 fat cattle a week, those being all weighed. Then there is another firm who sell about 300.

6741. Do they sell by auction?—Yes, but they have no weights. Then there is the other market, which is now very small; there are not more than 50 fat cattle a week sold there. In Glasgow nearly all the stock is sold by auction. There are five auction rings in the market. At Perth all the stock is sold by auction.

6742. If we could obtain the results of the auction sales we might disregard the others; they would be fully representative?—Perfectly.

6743. You think there would be no objection on the part of auctioneers to supply the information?—Not the slightest.

6744. You yourself would not object to furnish it?—I should be glad to send it in every week.

6745. That is to say, the actual weights and the prices realised?—Yes.

6746. Those would be facts indisputable?—Yes.

6747. If you get the live weight and the price realised you have a fact to deal with?—Yes.

6748. That is what you have not got at the present time generally?—Just so.

6749. (*Mr. Mahony.*) In selling cattle by auction do you make any statement as to how they have been fed?—Yes; the foreman sends in a slip saying where the cattle are from. Where cattle are coming nearly every week from the same place the butchers get acquainted with them, and they know whether they will kill well or not. Cattle coming from a particular farm get a reputation.

6750. The manner in which they have been fed some months beforehand has a bearing upon the per-centage of meat compared with the live weight?—Decidedly.

6751. You can judge of the quality pretty well by handling?—Yes.

6752. But you cannot judge with absolute accuracy as regards the per-centage of meat in the live weight;

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it depends to a certain extent on how the animals have been treated?—Certainly. Sometimes when I have been selling I have said to the butchers, This will dress 63 per cent.

6753. Do you think you can depend on the butchers' returns of dead weight?—Yes; in compiling this table which I shall send you I will send a man to see the animals weighed. I will ask the butcher to keep the hides so that the cattle may be identified.

6754. Do you sell sheep by weight?—Never; I have tested them by weighing them; we generally find newly-clipped sheep yield 8 lbs. of mutton out of 14.

6755. Would there be any difficulty in selling sheep by weight?—I do not think there would.

6756. You sell sheep in the pen together?—Yes.

6757. You would weigh the whole pen together?—Yes; one man in Edinburgh will buy 800 to send to the London market.

6758. Is there a smaller proportion of meat to live weight in a Jutland bullock than in a home-grown one?—I am not sure about that. I think a well-fed Jutland bullock will yield on the average, if it is a really good one, 57 to 58 per cent.; if a rough one it will not yield above 53 per cent.

6759. The quality of a Jutland bullock is inferior to that of a home-grown bullock?—A Jutland bullock is not worth so much money as a Scotch bullock.

6760. It is in the quality, not in the per-centage, of meat that the difference lies?—Quite so.

6761. With regard to the different weights to the stone in different markets, what weight would you suggest as the standard?—14 lbs. to the imperial stone.

6762. Do you think that, if any legislation were to take place on this subject, advantage might be taken of the opportunity to introduce the decimal system of weight?—I would not object to that.

6763. You say they have weighing machines in the Glasgow market?—Yes

6764. Do they belong to the market or to the auctioneers?—They belong to the auctioneers. They have one steelyard that they can weigh two bullocks on in the market as well.

6765. On your machine can you weigh a number of bullocks together?—We can weigh nine.

6766. Do you weigh a number together?—Yes. This week I showed eight cattle in a lot, having weighed them. I could not get the prices I wanted for them, and I re-weighed them in pairs, and they came out the identical weight that they went in at.

6767. In Glasgow do other auctioneers sell by weight as well as yourself?—Yes, one.

6768. And in Perth?—No, there are no animals sold by weight in Perth as yet; they are sold by auction off-hand. In Aberdeen the auctioneers have scales, and the qualities and the live weights are given by the Agricultural Society, and the prices are quoted. Both in Liverpool and Dublin the system is now being introduced of selling by weight.

6769. Are animals sold by auction in Liverpool and Dublin?—No, privately. Neither in Liverpool nor in Dublin are there any auction sales. The salesmen have put up weighing machines in deference to public opinion, and now they advertise that they will sell animals by live weight at either market, and quote the prices.

6770. In that respect Islington market is rather behindhand?—Yes, both the salesmen and the butchers there seem to have very conservative ideas; they think they are good enough judges without weights.

6771. Your experience is that the weight materially assists you?—That is my experience.

6772. I presume you would be as good a judge of cattle without weights as most people?—I know something about them.

6773. Yet you consider that you derive considerable assistance from weights?—Undoubtedly.

6774. Is it the fact that there is a discrepancy of money value per cwt. live weight between cattle of

the same live weight, but of different breeds and ages?—Yes.

6775. Is that owing to a difference in the quality of the meat?—Yes.

6776. Would there be a difference in the per-centage of meat to live weight?—Yes.

6777. Do young animals give less than old?—If they have never lost their calf flesh they will yield a much larger per-centage than an Irish store bullock brought in last autumn.

6778. Would you see that at once by looking at the animal?—Yes.

6779. Then, as regards breeds, do some breeds produce more meat than others?—Yes.

6780. Which is the best?—I should think a good polled Angus would yield as much per cent. as any other breed I know.

6781. More than a shorthorn?—A shorthorn would come next. There would be no difference under equal circumstances in the full breeds if they had the same treatment right through. A polled Angus bullock fed since it was a calf and a shorthorn bullock fed since it was a calf and both slaughtered at the same age would be as near as possible alike.

6782. I was surprised to notice in the per-centages you gave that the polled Angus came second?—Very frequently it is the case.

6783. It was on account of different treatment?—Yes.

6784. How are the prices quoted in the Edinburgh?—I quote them always by the imperial stone; in Glasgow I quote them by the cwt.; in Edinburgh the prices are generally quoted by the imperial stone.

6785. Are there other auctioneers in Edinburgh who give reports?—Oliver and Sons issue reports.

6786. Do they sell by weight?—No.

6787. How do their quotations compare with yours?—They are generally higher. In Edinburgh there is a market reporter who goes round amongst the salesmen and takes their quotations and compiles a report.

6788. Is that report a sort of conglomeration of them all?—Yes.

6789. Yours would come into the average?—We publish our own report every market we attend; then we send a weekly report of the live-stock trade of Scotland every Friday, and send it to the principal papers. We are generally considerably under the average of other quotations.

6790. Under the average of other quotations in Edinburgh?—Yes.

6791. How do you stand in Glasgow?—In the same manner.

6792. Under the others?—Yes: the fact is that that report of ours fixes the price of lots of cattle sold at home to local butchers.

6793. (*Chairman.*) Because it is based on facts?—Certainly.

6794. The other quotations, to some extent, are guess work?—Yes.

6795. (*Mr. Mahony.*) And they are higher?—Yes.

6796. At Aberdeen you do not sell?—No.

6797. At Perth you sell?—Yes.

6798. But not by weight?—No.

6799. Do you find that your quotations in Perth are about the same as those of other people?—Our quotations are generally lowest.

6800. How do the Perth reports compare with the Edinburgh ones; is there much difference in price?—No; I sold a lot of cattle at Perth on Monday; they came to Edinburgh on Tuesday and they were sold there off-hand; they were scaled, and they just left 10s. a piece to pay expenses, which would barely cover expenses.

6801. Do you sell in Edinburgh yourself?—Yes.

6802. And in Perth?—Yes; twice a week.

6803. That would account for your prices being lower than other people's in Perth. You sell by weight in Edinburgh, and your eye gets accustomed to judge more accurately of the exact weight?—Yes.

6804. And you apply that in Perth?—Until the last few years we had no other system of selling

except by the eye. When I go to Perth I make up my mind what the cattle will weigh and ask a certain price for them.

6805. You make up your mind after having been tutored, as it were, for some years by the actual weights in Edinburgh?—Yes; I can tell pretty nearly what they will weigh dead or alive.

6806. You see no difficulty in getting returns?—Not the least.

6807. Do you contemplate at all introducing the sale of sheep by weight?—In the case of sheep the wool would be such a varying quantity that the live weight would not be anything to go by.

6808. (*Chairman.*) Even a wet day would make a great deal of difference?—Yes.

6809. (*Mr. Mahony.*) Still in America they are sold by weight?—Yes.

6810. And pigs also?—Yes.

6811. Pigs are not sold by weight in Scotland?—No. Another great advantage that I see in selling cattle by weight is that it educates the farmers to see the different classes of cattle likely to pay them best for keeping.

6812. (*Chairman.*) They would attend the market and watch the result?—Yes.

6813. We may assume that as the advantage was found of selling and buying by live weight the practice would extend?—Yes.

6814. You think the system is bound to extend itself?—Yes, certainly.

*Mr. Thomas
Swan.*

6 July 1888.

Adjourned.

APPENDIX.

FORM A.

ROYAL COMMISSION ON MARKET RIGHTS AND TOLLS, 32, Abingdon Street, S.W.

QUERIES FOR LOCAL AUTHORITIES WHO OWN MARKETS.

Name of District _____

County _____

1. Name, situation, and nature of the markets.
(Note.—State the principal articles sold.)
2. How were the market rights acquired by the local authority?
 - a. If by charter, the date and particulars of the charter or charters.
 - b. If by prescription, the date of the earliest record of the market right.
 - c. If by purchase, the date of the purchase.
 - d. If established under the Local Government Acts or the Public Health Act, the date of the establishment of the market.
 - e. If established under local Act, the date and title of the Act.
3. If the market rights were acquired by purchase—
 - a. From whom were they purchased, and how were the market rights originally acquired?
 - b. The amount paid in respect of the purchase.
 - c. Whether market buildings or land were included in the purchase; and if so,
 - d. What sum was paid in respect of such buildings or land?
4. If the market rights are held on lease—
 - a. The date of the last lease.
 - b. The term of, and special conditions, if any, in the lease.
 - c. What rental is paid under the lease?
5. On what days is the market held?
6. What market accommodation has been provided by the local authority?
(Full details to be furnished.)
7. To what extent are the markets held in the open streets, and how long have they been so held?
8. What is the estimated amount of the capital expenditure which has been incurred by the local authority in respect of the market, inclusive of purchase of market tolls and other rights, distinguishing, if possible, what has been paid for each?
9. Whether moneys have been borrowed in respect of the markets. If so—
 - a. What is the total amount of money which has been so borrowed?
 - b. What amount is now outstanding in respect of the loans?
 - c. What are the dates, periods for repayment, and terms of repayment of each of the several loans now outstanding?
 - d. Whether it is thought probable that any, and what further, loans will shortly be required?
10. What has been the average annual expenditure during the three years ended 25th March 1887, or to the latest date to which the accounts are made up, out of revenue, or rates, or other sources in respect of the market—
 - a. For principal and interest of loans, or for sinking fund for repayment of loans?
 - b. For officers of the markets, and care and supervision of the market?
 - c. For repairs?
 - d. For removal of refuse and cleansing?
 - e. For other purposes, specifying them?
11. What has been the average amount of the gross receipts from the market during the three years ended 25th March 1887, or to the latest date to which the accounts are made up, specifying the amounts respectively received from—
 - a. Tolls.
 - b. Rents.
 - c. Stallages.
 - d. Other receipts, giving the particulars.
12. What are the highest tolls, rents, and stallages which the local authority are empowered to levy in the market, and what are the tolls, rents, and stallages actually levied, and how long has the present scale been in operation?
(N.B.—It will be convenient if a printed copy of the scale be annexed.)
13. What regulations have been made by the local authority, and are now in force, with reference to the market?
(N.B.—It is desired that copies of any such regulations should be forwarded.)
14. Are any records kept of the prices of commodities sold in the market?
15. In what ratio do market tolls and dues stand to the value of the marketable commodities on which they are levied?
(N.B.—It will be convenient if this information is given, as far as practicable, with reference to the value of particular marketable commodities specially named.)
16. Within what distances, and during what times, are the market rights enforceable on the sale of goods outside the market building?
17. To what extent are sales on market days, otherwise than in shops and in market buildings, prohibited?
18. Is there any regulation of the market requiring any transactions to be made through particular agents, factors, or brokers?
19. From what districts do the articles sold in the market come, and is there any restriction in this respect?
20. To what extent, if at all, have market rights, market byelaws and regulations, market tolls, rents, stallages, and dues and tolls, affecting the market town, been complained of as restrictive of trade?
21. Has the present accommodation offered by the market been complained of as insufficient and unsuitable for the local trade?
22. If the local authority have granted a lease of the tolls and other rights, for what term, and on what conditions as to payment, have the tolls and other rights been leased; and what are the reasons which have induced the local authority to consider the arrangement of leasing desirable?
23. What are the views of the local authority as to the expediency of placing restrictions on the sale, outside the market buildings, of goods that may be lawfully sold in the market?

24. What are the views of the local authority as to provision being made that the tolls and other rights of the markets held by local authorities shall be from time to time revised, with a view to their being regulated by the necessary expenditure in connexion with the markets, and that the markets shall be free and open when the capital charges in respect of them have been paid off by the incomes from the markets or otherwise?

State whether, in their opinion, a charge should be made for meeting the expenses of maintenance.

25. What alterations, if any, in the existing law relating to markets do the local authority consider desirable?

26. The information above desired is requested also with regard to any fair held within your jurisdiction.

FORM B.

QUERIES FOR OWNERS OF MARKETS, NOT BEING LOCAL AUTHORITIES.

Name of District _____

County _____

1. Name, situation, and nature of the market.
(Note.—State the principle articles sold.)

2. How were the market rights originally acquired?

a. If by charter, the date and particulars of the charter.

b. If by prescription, what is the earliest record of the market rights, and the date of such record?

c. If under a local Act, the date and title of the Act.

3. If the market rights were acquired by the present owner by purchase—

a. From whom were they purchased?

b. The amount paid in respect of the purchase.

c. Whether market buildings or land were included in the purchase: and if so,

d. What sum was paid in respect of the buildings or land?

4. On what days is the market held?

5. What market accommodation has been provided? Furnish full details.

6. To what extent are the markets held in the open streets, and how long have they been so held?

7. What is the estimated amount of the capital expenditure which has been incurred in respect of the provision of market accommodation?

8. What officers are employed by the owner in connexion with the market?

What are their duties?

What is their remuneration?

9. Is the cost of the removal of refuse and cleansing of the streets, in connexion with the holding of the market, borne by the owner of the market?

If not, by whom is it borne?

10. What has been the average annual expenditure during the three years ended 25th March 1887, or to the latest date to which the accounts are made up, out of revenue or other sources in respect of the market—

a. For officers of the market?

b. For repairs?

c. For removal of refuse and cleansing?

d. For other purposes, specifying them?

11. What has been the average amount of gross receipts from the market during the three years ended 25th March 1887, or to the latest date to which the accounts are made up, specifying the amounts respectively received from—

a. Tolls.

b. Rents.

c. Stallages.

d. Other receipts, giving the particulars.

12. What are the highest tolls, rents, and stallages which the owner is empowered to levy in the market, and what are the tolls, rents, and stallages actually levied, and how long has the present scale been in operation?

(N.B.—It will be convenient if a printed copy of the scale be annexed.)

13. What rules, if any, have been made by the owner, and are now in force, with reference to the market?

(It is desired that copies of any such rules be forwarded.)

14. Are any records kept of the prices of commodities sold in the market?

15. In what ratio do market tolls and dues stand to the value of the marketable commodities on which they are levied?

(N.B.—It will be convenient if this information is given as far as practicable with reference to the value of particular marketable commodities specially named.)

16. Within what distance, and during what times, are the market rights enforceable with regard to the sale of goods outside the market buildings?

17. To what extent are sales on market days, otherwise than in shops and in market buildings, prohibited?

18. Is there any regulation of the market requiring any transaction to be made through particular agents, factors, or brokers?

19. From what districts do the articles sold in the market come, and is there any restriction in this respect?

20. Has the present accommodation afforded by the market been complained of as insufficient and unsuitable for the local trade?

21. If the owner has granted a lease of the tolls and other rights, for what term, and on what conditions have the tolls, &c. been leased?

22. Is the owner in favour of the local authorities obtaining compulsory powers of acquiring market rights?

23. What alterations, if any, in the existing law relating to markets does the owner consider desirable?

24. The information above desired is requested also with regard to any fair held within your jurisdiction.

FORM C.

QUERIES FOR LOCAL AUTHORITIES AS TO MARKETS NOT OWNED BY THEM.

Name of District _____

County _____

1. Name, situation, and nature of the market.
(Note.—State the principal articles sold.)
2. Name and address of the present owner of the market.
3. Whether the rights have been leased by the owner.
If so, name and address of the lessee.
4. On what days is the market held?
5. What market accommodation has been provided, and by whom?
(N.B.—Full details as to market accommodation to be furnished.)
6. To what extent are the markets held in the open streets, and how long have they been so held?
7. What officers are employed in connexion with the market?
8. Is the cost of the removal of refuse and cleansing of the streets, in connexion with the holding of the market, borne by the owner of the market?
If not, by whom is it borne?
If borne by the sanitary authority, what is the estimated annual expense?
9. What are the tolls, rents, and stallages which are actually levied, and how long has the present scale been in force?
10. In what ratio do the market tolls and dues stand to the value of the marketable commodities on which they are levied?
(N.B.—It will be convenient if this information is given, as far as practicable, with reference to the value of particular marketable commodities specially named.)
11. Are any records kept of the prices of commodities sold in the market?
12. Within what distance, and during what times, are the market rights enforceable on the sale of goods outside the market buildings?
13. To what extent are sales on market days, otherwise than in shops and in the market buildings, prohibited?
14. Is there any regulation of the market requiring any transactions to be made through particular agents, factors, or brokers?
15. From what districts do the articles sold in the market come, and is there any restriction in this respect?
16. To what extent, if at all, have the market rights, tolls, dues, rents, stallages, and dues and tolls affecting the market town, been complained of as restrictive of trade?
17. Has the present accommodation afforded by the market been complained of as insufficient and unsuitable for the local trade?
18. What are the views of the local authority as to the prohibition or regulation of the leasing of tolls?
19. What are the views of the local authority as to the expediency of placing restrictions on the sale, outside the market buildings, of goods that may be lawfully sold in the market?
20. Are the local authority in favour of obtaining compulsory powers to acquire market rights?
21. What alterations, if any, in the existing law relating to markets do the local authority consider desirable?

D.

FOREIGN MARKETS.

The Royal Commissioners of Market Rights and Tolls desire to obtain information as to Markets in Foreign Countries on the following points:

I.—GENERALLY.

- (a.) As to the authority under which markets are held, and new markets are established.
- (b.) The ownership of proprietary rights.
- (c.) The powers and duties of market authorities.
- (d.) The control exercised over the market authorities by the State, or by any provincial or local authority.

II.—SPECIFICALLY.

As to the markets in the following cities:—

New York,
Chicago,
Boston,
Berlin,
Brussels,
Paris,
Vienna.

1. Are market rights prescriptive?
or created by statute?
or by specific legislation?
2. How are new markets originated?
3. In establishing new markets, is any consideration given to the possible injury to be done by such establishment to existing markets in the immediate vicinity?
4. In whom are market rights vested—
Local Authorities,
Trading Companies, or
Private Persons?
5. Have market authorities the power of prohibiting or restricting the sale of goods outside of their market? and if so, within what limits of space and time are these powers exercised?

6. What is the nature of the charges made for the use of the market?

(a.) *Tolls.*

7. Are these levied on persons using the market, as—
Buyers,
Sellers, or
Middlemen,
on goods brought into the market for sale,
on goods unsold?

(b.) *Stallages.*

8. Are sellers in the market charged for standing ground or space occupied by their goods, independently of rents for accommodation provided in the shape of stalls, offices, store-rooms, &c.

(c.) *Rents.*

9. How are rents of shops, stalls, offices, stores, &c. fixed?

10. How is the scale of tolls and other charges regulated?

11. Is the tariff of charges subject to revision by any external authority?

12. Are the charges fixed to cover the expenses incurred, or is the income from markets treated as a source of revenue or profit?

13. To what purpose is the surplus of income over expenditure (if any) applied, and from what fund is the deficiency (if any) made up?

14. What is the system of inspection of markets? and of articles and animals offered for sale there?

15. Is there any restriction as to sales by brokers, commission agents, or auctioneers?

16. Are wholesale and retail sales carried on in the same place, and during what hours are the markets open?

17. What amount of control does the central authority exercise over market authorities?

18. What is the area covered by the markets?

(The following additional questions relate to the markets in the seven cities named above.)

RECORDS OF TRANSACTIONS AND PRICES.

1. Are records kept, and by whom—

(a.) Of commodities brought into the market?

(b.) Of the quantities sold and remaining unsold?

(c.) In cattle markets of the number of each kind of animal?

2. If commodities or animals are classified according to quality, how is this classification made?

3. Are returns of prices made by buyers, sellers, or officials?

4. Is the making of such returns compulsory?

5. Are numbers or quantities of each grade or quality returned separately with the respective prices realized?

6. What arrangements are made for the publication of prices—

By official bulletins communicated to newspapers?

By private enterprise?

By Government Reports?

If by Government Reports, how frequently are these Reports issued?

The Commissioners would be obliged for any information respecting the fairs at Nijni Novgorod, Leipzig, Beauchair.

E.

RESULT of Weights, Prices per Stone Live Weight and in Carcase, and Yield of Meat of different representative breeds of cattle at Haymarket, Edinburgh, on 14th August 1888, for the information of the Royal Commission on Market Rights and Tolls.

Description.	Price.	Live Weight.	Price per Stone Live Weight.	Net weight of meat.	Yield of meat per cent.	Cost per Stone to Butcher.
	£ s. d.	Sts. Lbs.	£ s. d.	Sts. Lbs.		£ s. d.
1st quality 3 year old shorthorn, grass fed	23 10 0	96 0	0 4 10½	59 10	62·20	0 7 10½
1st " 2 " " court fed -	20 15 0	83 0	0 5 0	47 7	57·22	0 8 8½
1st " grass fed bullock - - -	18 10 0	80 0	0 4 7½	45 9	57·05	0 8 1½
1st " cross polled bullock, grass fed -	23 15 0	102 0	0 4 8	59 10	58·54	0 7 11½
1st " 2½ year old " court fed -	21 17 6	90 0	0 4 10½	53 7	59·44	0 8 2
1st " Scotch - - - -	19 7 6	80 0	0 4 10	45 9	57·05	0 8 5½
Medium quality polled - - - -	21 10 0	92 0	0 4 8	51 0	55·43	0 8 5
2nd quality polled heifers - - - -	15 0 0	65 0	0 4 7½	37 3	57·25	0 8 0½
2nd " West Highland heifers - - -	14 10 0	63 0	0 4 7½	37 3	59·07	0 7 9½
2nd " half bred Ayrshires - - - -	21 10 0	93 0	0 4 7½	52 0	55·91	0 8 3½
2nd " 2 year old shorthorns grass fed	19 15 0	89 0	0 4 5½	50 0	56·18	0 7 10½
2nd " 3 " Galloway bullocks - - -	18 10 0	82 0	0 4 6	46 1	56·11	0 8 0½
Home fed Canadians - - - -	25 17 6	114 0	0 4 6½	65 8	57·51	0 7 10½
Canadians newly landed - - - -	20 10 0	92 0	0 4 5½	53 2	57·76	0 7 8½

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